1890-004 Chancery Causes: Exr. of William H. Burns vs. Admr. of A. R. Surgenner &c
Lee Co. folder 1 of 4

Orr, Weston, Jayne, Morgan, Pridemore, Richmond, Levecy, Levisay, Levasy, Livasy, Willoughby, Sisk, Miles, Roler, Bishop, Poteet, Rutherford, Lambert

-Deed

CA - Debt
T - Property

To the Honorable John A Kelly Judge of the Circuit Court of Lee County Va

Humbly complaining your Orator William E. Burns Executor of Wm H Burns deceased moved respectfully show your Honor that heretofore to wit on the 26th day of August 1881 one A.R. Surgener then living made his certain writing obligatory by which he bound himself to pay to Wm H Burns your orators testator twelve months after the date of said writing obligatory with interest from date the sum of one hundred dollars and as to said debt the said Surgener waived the benefit of his homestead exemption. said writing obligatory is to the Court here shown and is filed herewith as part hereof marked Exhibit "A." No part of said sum of money was paid to the said Wm H Burns in his life time, the same nor no part thereof has been paid to your Orator the Executor of the said Wm H Burns since the death of the latter But all and every part thereof is still due and owing.

Your Orator will now show your Hon-
or that the said A R Surgener has lat-
ly departed this life intestate, seized
and possessed at the time of his death
of a valuable real and personal
estate; that letters of Administration
on said Estate was, at the September
term 1885 of the County Court of Lee
County, granted to James W Orr who
has taken charge of and sold said
personal estate, While said person-
al estate is large and valuable a-
mounting to from $2500. to $3500, yet
it is wholly inadequate and insuf-
ficient to pay the indebtedness of
said Estate, The real estate of the
said Surgener consists of a valua-
ble farm or series of farms adjoining
each other known as his home place
situated some Twelve ~~months~~ Miles
West of the Town of Jonesville contain-
ing 1000 or more acres. he is also
the owner by purchase of a very fine
and excellent Grist mill situated near
the Town of Jonesville, purchased

by him shortly before his death from Gen Prideaux and known as the "Prideaux Mill," but he still owes the purchase price thereof being the sum of $3000. payable in annual instalments. The first of which will be due on the 1st day of February 1886. and then each of the other of said notes become due yearly thereafter. This mill was rented or leased by the said Surgener in his lifetime to one Daniel Byington for the period of one year and he is now in the possession of it. Said renting will expire on the 8th day of July 1886. or as your orator is informed, that the said Byington claims if he desires so to do, that he may terminate said renting at the end of six months and if he elects so to do. The Mill will be without a Tenant on the 8th day of January 1886. So this Mill when the said Surgener purchased it was attached a new and valuable Steam Engine. which is now lying idle not being used for running the Mill and in fact unnecessary

to it and consequently doing no person any good. This Engine ought to be sold seperate and apart from said Mill. The whole of the purchase money agreed by said Surgener to be paid for said Mill is still due and owing, and the payment of it is secured as your orator is informed by the retention of a lien on said property and also by a deed of Trust executed by the said Surgener on his home farm. said Trust deed is of record in the Clerks Office of Lee County and a copy of it is here filed as part hereof marked B There is also other liens against the real estate of said Surgener created by Judgement, some of these Judgements are against said Surgener individually and others against him and other persons his securities in the debts on which said Judgements were rendered. And your orator is informed That Judge Henry J. Morgan also holds a deed of Trust on the said Surgener's home place to secure

a judgement or debt of some $700.00 a copy of this deed of trust is filed herewith as part hereof marked "C."

~~Your orator has been informed and~~ he suppose's it is true that a part of the lands known as the said Surgeners home place was purchased by him from Mrs Robinson Widow of Cavender A Robinson dec'd and that he still owe's towards the same from $400 to $700.00 (exact amount is unknown to your orator) this debt is a specific lien on that part of said land purchased from Mrs Robinson. which she is perhaps entitled to have enforced without the tedium of a creditors bill. and if so your orator asks that the same may be done in this suit without incurring the expense of a separate suit.

Now the object of this bill is to convene the creditors of the said A.R. Surgener as well those having specific liens as those having none to ascertain the amount of his indebtedness & the priorities thereof, to marshall the assets belonging

to said estate, to settle the administra
tion account of James W Orr Admr of
the said Surgener, and ascertain the amount
in his hands for the payment of debts
the amount the estate will owe after ap
plying this sum, to assign down to Nan
cy Surgener widow of said AR Surgener
deceased and to sell enough of the
residue of said lands owned by said
Surgener at the time of his death to pay
off and discharge the residue of said
indebtedness, and in order to effect all
these objects in the speediest and least ex
pensive manner, and to do full justice
to all the parties in interest your orator
insists that the Pridemore Mill property
be at once sold without waiting until
the Account hereinbefore asked for is
taken that the sale be made upon the
same terms as the sale made by said
Pridemore to said Surgener, in order
to meet the payments to said Pride
more as they shall become due.
To effect these ends your orator makes
James W Orr Admr of AR Surgener de

$100.00 Twelve months after date for value received I promise to pay Wm H Burns One hundred dollars with interest from date which is in full of all debts dues and demands due from me to said Burns on settlement this day made with him of all matters of account between us and I hereby waive the benefit of my homestead exemption as to this debt, Witness my hand and seal this 26th day of August 1881

A R Burgess (Seal)

Attest
R A Ayers

Wm E Burns. Executor of

A R Turner

note $100
in settlement
Burns

Iowa

debts and cities [illegible] commis-

ers of your Honor court That said Com-

missioner settle the Administration acco[illegible]

of James M Orr Admr of said estate that

the assets of said estate be marshalled, t[illegible]

specific liens enforced the Mill property

sold, and the proceeds arising from sa[illegible]

sale be applied to the discharge of the p[illegible]

chase price due thereon to said A L Fo[illegible]

more That enough of the residue of said

real estate be sold to pay the residue

of said indebtedness after applying the

personal estate and for such other

and further relief both special and general as is suited to your orators case and meet for a court of equity to grant May Spa issue to.

Simeon T Pennington
for Plaintiff.

Clerk's Fees
Filing 8.00
Copies 36.50
Other 15.00
Estimate 10.00
$155.72

J. H. [illegible]

1870 May. Injunction granted the Pltffs. Bond in the penalty of $150. required.

1870 June. ~~Cont'd for Injunction~~ Bond & Release of Errors.

July. Cont'd for Inj. Bond.

Aug.t & Sept. " " " "

Oct. cont'd " " " "

Nov. & Dec. " " " "

1871 Jany. Cont'd " " "

" Feb. March " " " "

" April & May " " " "

" June & July " " " "

" Aug. & Sept. " " " "

" Oct. & Nov. " " " "

" Dec. Continued

1872 January & Feb. Continued.

" March Continued

" April Dismissed by Pltff.

To the Hon. John A. Kelly Judge of the circuit court of Lee county Virginia

The petition of S. H. Lewey a citizen of humbly complaining sheweth to your honor that he filed with court in this cause a note he held as assignee of A J Roller against A R Sampson dated for $620.20 that upon that note evidence was taken & the court reported adversely to your petitioner & on exceptions had to said report the same was confirmed by decree of your honor entered Aug 30th 1888 in the case now pending in chy in your honors court of W. E. Burns Exor vs J W Lewis admr & al. Your petitioner would show that he is aggrieved by said said report & decree of confirmation and asks that your honor reconsider review & reverse the said action of your honor on the exception to said report in regard to said debt & will correct the same by allowing the debt of your petitioner. Your petitioner would show that since the said decision

he has discovered after evidence that at the hearing he did not know of (except the witness to said note) and that by accident the facts that they know was found out by him your petitioner here files their affidavids as well as the affidavit of the witness to the said note & prays that they be considered as part of this petition they are marked "S. H. L. 22" by these affidavids it is manifest that Surgeon got the boys of Roller that he executed the note filed in this case, and it is pretty clearly shown that he has not paid the same. Your petitioner would show that the court in his report comments on the fact that he does not find the note Roller speaks of as due to Frank Bishop appraised & refers to the appraise bill of that estate which is filed, now Roller says the $2700^{00} note was for a negro & we find a negro appraised in that appraise bill, but there is no sale bill which would doubtless show the debt; but that as it may your petitioner asks that said exception, ~~the Report~~ to be sustained & that he be allowed to file this new ~~dep~~ discovered evidence & on its final hearing that said report be amended & the decedents estate charged with said debt & interest & its payment be decreed to your petitioner & as in duty bound will ever pray in his special prayer your petitioner prays for all such other further & general relief as to justice belongs & is suited to his case & as in duty &c

H & K Morison &
A L Prudence for
petitioner

State of Lee County to wit

This day S H Lowry personally came before me & made oath that the foregoing petition is true so far as stated on his own knowledge & that he believes it true so far as stated on information derived from others

Given under my hand this 25th day Novr 1886

John R. Gibson Clerk
of Lee County Court.

J. W. Orr Costs
Recovered

A. Clerk	$4.49
" Comr	5.00
Writ	3.00
S	1.00
A	15.00
	$28.49
	1.13
	$27.62

Defts S. H. Levacy Costs

C	5.61
Tim Dep	3.40
Va. "	14.25
	$23.26

Plains Error
25

Petition of
Orr adm'r et als
S. H. Levacy for a
Rehearing

Filed in open
Court by leave
Nov. Term 1864
J. A. Hyatt Clk

Honorable H.S.K. Morison Judge of the Lee Circuit Court in chancery.

Your Petitioners M. D. Richmond and James H. Orr Creditors of the estate of A.R. Surgener deceased, would respectfully show to the Court,

On the 16th March 1887. in the chancery Cause of H. E. Burns Extr. vs. James H. Orr admr et al, C. T. Duncan and H. J. Morgan filed a report of sale of the lands of the late A.R. Surgener, among which they report lot no 1, as having been purchased by one John McClure at the price of $1860.00. Containing 218 acres, this parcel includes some very valuable land, 95 acres of which was, (as your Petitioners are informed and believe) purchased by the said Surgener a short while before his death from Mrs Robeson at the price of $1800.00. $1400.00 of which was paid to her cash in hand; and Petitioners being creditors of the said estate, for about $4000.00, and the estate being insolvent, and by the use of the utmost Caution, diligence, and attention, will not pay the creditors in full including realty and personalty Think, every opportunity, consistent with the interests and rights of all parties, should

be afforded them to get the largest and best price possible for the said land, and ~~notwithstanding the~~ bond with ample security having been executed by W. O. Combs et als, to secure the faithful and true performance of his undertaking, the said Combs proposes to pay for the said land, on a resale thereof the sum of $ 20050.00 and your Petitioners have reason to believe a greater sum can be obtained therefor,

To which end your petitioners pray that your honor will not confirm the sale to the said McClure, but direct a resale of the said land, upon the upset bid here offered by the said Combs. and let such decree be entered as will fully protect McClure in the premises. And as in duty bound your Petitioners will ever pray.

J. B. Richmond
for M. D. Richmond
& Jas. W. Orr.

M. T. Richmond et al

vs

Petition

Hon. H. K. Morrison Judge

Filed Mr. 30th 1882.

J. A. L. Hyatt Clk

To the Honorable H. S. K. Morison Judge of the Circuit Court of Lee County Va.

The answer of James H. Orr Admr. of A. R. Surgener deceased, to a petition for a rehearing, filed by S. H. Livisay in the chancery cause of Wm. E. Burns Executor &c. vs. James H. Orr Admr. &c et als now pending in your Honor's Court, and in which said suit the said S. H. Livisay as the assignee of one A. J. Roller prosecutes a note purporting to have been executed by A. R. Surgener in his life time and S. S. Surgener to the said A. J. Roller and which claim was not allowed by the Commissioner in said cause.

Respondent denies that said Livisay assignee is aggrieved by the action of said Commissioner, in disallowing said claim or by the decree of the Circuit Court of Lee County Virginia in confirming said report On the contrary the action of the Commissioner and the Court was eminently just and proper and well supported by the facts of the case and in evidence before the court. Said claim was and is a stale demand the presumption of payment is clear and unmistakable. Said note purports to have been executed on the 3rd day of August 1867 Nearly 27 years before it was presented for

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for allowance, more than 26 years before the said Surgener's death, yet all this time no effort was made by Mr Roller to collect this large debt, notwithstanding the fact that he was a comparatively poor man, or at least in moderate circumstances often very hard pressed &c. and notwithstanding the further fact that during nearly all this time the said Surgener was a trader often handling large sums of money, and just as often regarded as a dangerous and unsafe man to be given a long credit, all these facts were well known to the said Roller, the said Surgener being nearly all this time residents of the same county and for many years, maybe boro living within a mile of each other.

It is unreasonable to say that with a full knowledge of all these circumstances, a man in as moderate circumstances as Mr Roller would have slept on his rights allowed another man to use his money, when he was probably in absolute need of it himself and especially when it was frequently believed and publicly expressed that his debtor was likely to fail. yet unreasonable as is this supposition it is true, if his present claim is to be believed, for 26 years while Surgener lived no effort is made

to enforce the payment of, or to secure this large sum of money, but the very moment Mr Sugenor sleeps in death, the moment his lips are sealed, and he is where he cannot explain that moment this man, not in his own name, he has not effrontery enough for that, but in the name of another, presents this claim that he has allowed to sleep for more than 26 years, and all the time believing, as he himself states, that the name of S.S. Sugenor was on said note without his signing, but it there. And right along this line there are some other very strange little incidents, for instance Mr Roller swears that he had sold said note to S.H. Livesay, and when the question was asked him, what he had received or was to receive for it, the assignee objects to his answering and he declines to answer. This is not the act or the course of an honest upright man trying to collect a just and honest debt. Another one of these strange little incidents is this, after the death of A.R. Sugenor and after the qualification of your respondent as Admr of his estate the said Roller appealed at least three times to the respondent to know whether or not he had found

anything among the said Surgeons
never mentioning once that he had a note against said Roller
papers against him the said Roller, and
on the day and at the time when he
presented said note and affidavit
to the Commissioners he again asked
respondent, if he had found, anything
against him or any receipts against said
note, and it was not until after he
had reason to believe that, your res-
pondent had found nothing, that he presented
said note, he acted exactly as a man who
had executed receipts against said
note, and hoped that they had been
lost. And at this same time he said
to your respondent if he had found
receipts to present them and that would
end it, this language was used in
presence of Mr Livisay, and shows
conclusively that Roller although he
had assigned or pretended to assign
said note, and that too without re-
course, still assumed the right to
control it.

Respondent is advised that petitioner
has shown no proper or just grounds
for a rehearing of said cause or for
a reversal of said decree, All of the
witnesses whose affidavits were filed

were well known to both him and the said Roller living near to them and they could have seen them and known what they knew about it, and if he did not do so it was his own carelessness, he knew the claim was being resisted and should have used due diligence in hunting up his testimony, and aside from this the true rule in granting rehearings is, that unless the newly discovered testimony is plainly sufficient to warrant the reversal of the Judgement, a rehearing will not be granted. The evidence disclosed in the affidavits is certainly under no rule of law sufficient to warrant the allowance of said claim admitting all of it to be exactly as stated, in the affidavits, and nothing more is proved than was already proved by the note itself, Not one of these witnesses rebuts the presumption of payment raised by the lapse of time. Not one of them fixes any date to the period or event spoken of by him further than that it was when Singuen lived on the Preston land and that was more than

It was from the year 1867 to 1873, that he lived there 12 years ago, a period almost sufficient of itself to present a bar to the claim. And none of them except Lambert fix any sum or amount of the debt they undertake to speak of But the Petitioner claims that the Commissioners comment on the failure of Bishops Admr to invoice the Roller note is not warranted and he undertakes to account for it, and in doing so clearly discredits his own witness his assignor. The petitioner says a negro was appraised, and that accounts for the mutt that being reported, the appraisement was not made until after Bishop's death Roller says he bought the Negro from Bishop in his life time and executed his note to him in his life time then, how does the appraisement of the negro account for it, strange that they were appraising Roller's negro on Bishop's ~~Spral~~ estate bill.

And now having fully answered your respondent prays to be hence dismissed with his reasonable costs. And as in duty bound he will ever pray &c.

Duncan & Pennington & Richmond
for Respondent.

Virginia. Lee county, to wit.
This day James W Orr personally appeared before me and made oath that the facts stated in the foregoing answer so far as stated upon his own knowledge are true and so far as made upon information derived from others he believes them to be true. Given under my hand this 7th day of Feb 1887.

John R. Gibson D. C.

Wm E. Burns Executor

vs } Answer

J. H. Ormsbals

Petition for Hearing of Settlement

Filed Feby Rules 1887

J. R. Gibson D.C.

William E. Burns, Exr &c. Pltff
vs. } In Eqy.
James W. Orr adm'r &c. Defts

This cause came on this day to be finally heard on the papers formerly recd in the cause and the report of Comr. H J Morgan who was appointed a Special Comr to execute deeds of conveyance to the several purchasers of the land sold in this cause, and whose report was this day filed, and was argued by counsel, and said Report being unexcepted to. And it appearing thereby that said Comr. had executed and acknowledged the several deeds heretofore directed to be made to the several purchasers. On consideration of all which It is adjudged ordered and decreed that said report and the several deeds of conveyance therein mentioned be and the same are hereby confirmed, and the clerk of this will deliver to the clerk of the county court said several deeds for recordation, and as further ~~action being necessary in the cause the parties are hereby discharged and the cause stricken from the docket~~ And the said J H. Jayne, John McClure James E. Sergeunor, Wm P. Heston and N M Thomas will each pay to Comr. H J Morgan $2.50 ~~each~~ for the execution of said deeds to them respectively* ~~And as further action being necessary in the cause, the parties are hereby discharged and the cause is stricken from the docket.~~

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* And there being in the hands of Comrs Duncan & Morgan the sum of $81.99 after paying all creditors 27 cents on the dollar, and as it is possible that Mr Orr as adm'r of said Sergeunor may yet collect some further sums due intestates estate which will have to be so distributed among creditors of his estate it is ordered that said Comrs Duncan & Morgan pay said Orr as adm'r said $81.99 to be by him so distributed among said creditors & the cause is continued

Wm E. Burnes Exr

vs. } Decree Final

James H. Orr admr. et al

Enl 5 page 286. C.O. 1843

J. A. Hewitt c.c.

Enter this
Sept 3 1890
H.A. Kyle

Wm E Burnes Exr &c. Pltff
vs. } In Eqy
James H. Orr admr. & others Defts

This cause came on again further to be heard on the papers formerly read in the cause, and the report of Comrs. Duncan & Morgan stated and filed in the cause Aug.t the 8 1890 Showing that they had collected and disbursed all the money for the land sold in the cause on the 22 of F.b 1887. and was argued by counsel. And the said report being unexcepted to On consideration of all which it is adjudged ordered and decreed that said report be and the same is hereby confirmed and it appearing from the said report that Jas. H. Jayne the purchaser of the reversion in the dower land containing 202 acres had fully paid the purchase price, That John McClure the purchaser of lot No. 1 containing 218 acres had fully paid the purchase price therefor. That James E. Surgenner the purchaser of lot No. 2 containing 197 acres had fully paid the purchase price therefor, That H. P. Heston the purchaser of lot No. 3 containing 144½ acres had paid in full the purchase price therefor. And that D. F. Burk the purchaser of lot No. 4. together with the Dolash land and another small parcel not surveyed, the three containing in the aggregate about 24 acres had turned over to N. M. Thomas his said purchase. and that said Thomas had fully paid the purchase price. It is therefore further adjudged ordered and decreed that Henry J. Morgan be appointed a special comr. for the purpose and he is directed to make the following conveyances with covenants of special warranty to wit. To said J. H. Jayne the lot of land carved by the dower and subject thereto being the reversion therein according to the metes and bounds of the surveyors report in the cause, And he will thus convey to John McClure lot No. 1. He will thus convey to James E Surgenner lot No. 2. He will thus convey to H. P. Heston lot No. 3 And he will also convey lot No. 4 and the other two pieces therewith

Wm. E. Burnes Exr &c.

vs. } Decree No.

James H. Orr adm'r. &c.

Entered Chancery Bk B
pages 276-7.
Sept 2nd 1890.
J. A. L. Hyatt C

Enter this
Sept 2 1890.
H. L. K. McC

Upon motion of counsel for defendant Fell Thomas, and he will report his action to the court and run until the coming in thereof the cause is continued.

Wm E. Brumes Exr &c. Pltff
vs. } In Chy
James N. Or. adm. &c. Dfts

This cause came on further to be heard on the papers heretofore read in the cause, and the report of Commissioners Duncan and Morgan dated and filed in the cause April the 2nd 1889. Showing that since their last report, that they had collected from the purchasers of the land sold in this cause the sum of $1470.65 and had paid out to the creditors of A R Sengemer dec'd the sum of $1471.56. and was argued by counsel. And the said report being unaccepted to On consideration whereof, It is adjudged ordered and decreed. That said report be and the same is hereby confirmed And pursuant to a suggestion made in said report It is further adjudged ordered and decreed that H J Morgan be appointed a cont. for the purpose and he is ordered to convey by deed with Special warranty reserving thereon the vendors lien, to John McClure the tract of land purchased by him, to J H Sengemer the tract of land purchased by him, to Wm Vestal the tract of land purchased by him and to J M Jayne & S S Sengemer the dower lands purchased by them subject to said dower & he will report his action to the court. & the cause is continued.

W. E. Barnes, Exr

vs. } Decree

Jas W. Broadwell

entered Chey

O. B. No 5 page 199

J. A. L. Doyatt c.c.

Enter this

April 3 1889

W. E. B.

Wm E Burns Executor &c Pltff
against-
James W Orr Admr &c et als Deffts } In Chancery.

This cause came on again to be further heard upon the papers formerly read in the cause and the report of J. A. G. Hyatt Commissioner, of the final settlement of the administration account of James W Orr administrator of the estate of A. R. Surgener deceased, Filed March 20th 1889, which shows that said Admr has fully disbursed the funds in his hands pursuant to the decree in this cause at the April term 1888, and said report having been filed the time required by law, and being unexcepted to, is confirmed

Wm E Burns Exr &c
vs } Decree
Jas W Orr Admr &c

Entered Chcy
O. B. No. 5 page
188 J. H. Hyatt
C C

Enter this decree

Apr 2nd 1889.

Wm E. Burness Exor &c. Pltff
vs. } In Chy
James N. Orr adm. &c others Defts

This cause came on again to be further heard on the papers heretofore read in the cause, and the report of Comrs. Duncan & Morgan dated & filed in the cause Augt 20 1888 showing the collecting and paying out of $600.- since the last term, and was argued by counsel, and the said report being unexcepted to. On consideration of all which it is adjudged ordered and decreed that said report be and the same is hereby confirmed and the cause is continued

Wm E. Barnes Exr &c

vs. Decree No 12

James H Orr admr &c

Entered pages 154 + 5

Wyatt Clerk

Entered this
Sep 5 1888
W. S. K. M.

Wm E Burns Executor &c Pltff.
against } In Chancery.
James W Orr Admr &c et als Deffts

This cause came on again to be further heard upon the papers formerly read in the cause, and the report of J. A. G. Hyatt Commissioner filed in the cause March 22nd 1888, and Statements therewith, and was argued by Counsel. On consideration whereof said report and Statements therewith is confirmed, and it is adjudged, ordered and decreed that James W Orr Admr of A. R. Burgener decd, pay out the fund in his hands to the creditors of said Estate as shown in Statement of ~~Commr~~ debts filed with Comr Hyatts said report, paying to each creditor 14½ per cent of his debt as shown in said statement, and take their receipts for the sums thus paid them; and that Commissioners Morgan & Duncan pay out to the creditors of said estate, pro rata, the fund in their hands or that may come into their hands, on the claims of said creditors as mentioned and set forth in Comr. Hyatts said report and Statements therewith. Said Commissioners Morgan & Duncan will report their action hereunder and said Admr will, when he has disbursed as herein directed, file with Comr. Hyatt his Vouchers and further settle his administration account with said Commissioner. And the cause is continued.

Wm E Burns Exec
vs } Decree No. ~~10~~
No 11.
James W Ox Admrs.
Entered Orig
"OB" pages 139-40.
Hyatt C C

Enter this decree
12 sxm
Mon Oct 1888.

Wm. E. Burnes Exr &c. Pltff
vs. } In Chy.
James W. Orr admr &c al Defts

This cause came on again to be further heard on the proofs heretofore read in the cause and the report of Comrs Duncan & Morgan dated and filed in the cause March the 20 1888 showing the disbursement of $952.46. of the proceeds of the sales of the real estate. And was argued by Counsel. and said report being unexcepted to. On consideration of all which it is adjudged ordered and decreed that said report be and the same is hereby confirmed; and until action is taken on Comr Hyatts report the cause is continued.

Wm E. Barnes Exr

vs. } Decree No. 14

James W. Orr admr et al

Entered Chcy "O.B."
page 121.
D Hyatt C.C.

Enter this
April 4 1888.
R.L.K.M

Wm E. Burns Exr &c pltff.
against } Bridge
J. W. Orr admr et al. deft

On the motion of the pltff the order of continuance heretofore entered in this Cause is set aside. And thereupon the Cause came on again to be heard this day upon the papers formerly read. And was argued by Counsel on Consideration whereof and for reasons appearing to the Court Commissioners Morgan & Duncan are hereby directed to pay out any money in their hands or hereafter collected by them, upon the Judgements reported against said Surgemer in his lifetime, and they will pay the same, according to their priorities. And Comr Hyatt will proceed to discharge the duties heretofore assigned him, and report whether or not there are any unpaid Judgements or part thereof rendered against said Surgemer in his lifetime not heretofore reported by him. And the Cause is continued.

1

Burns Exr &c
v Deane No 9
No. 9.
Orr adm.

Dec. 7. 1887

Entered pages 1 2 & 3
O & B No: 3
J. C. G. Hyatt c.c.

Entered
9
H S K M

Wm. E. Barnes Exr. &c. Pltff.
vs. } In Chy
James W. Orr. admr. &c. Defts

This cause came on again further to be heard on the papers heretofore read therein and the report of Comrs. Duncan & Morgan marked No. 3. and dated and filed in the cause Nov 1st 1887. showing that since the last term of this court they had received from J. H. Jayne and Jas. M. Surgenner two of the purchasers of land sold in this cause the sum of $687.00 and that they had disbursed in paying the claim of Mary Robinson in full, her purchase money lien the sum of $414.65 leaving in their hands $272.35 to be accounted for in their next report of disbursements. And was argued by Counsel and said report being unaccepted to. On consideration thereof. It is adjudged ordered and decreed that said report be and the same is hereby confirmed in all things and the cause is continued

Wm. E. Barnes Exr &c.

vs. } Decree No. 8

J. W. Orr admr &c al

Entered page 83
C.O.B. No. 8

Enter this
Dec. 6 1887.
J. L. K. Pen

Wm E Burns Ex &c Plff.
against-
James W. Orr Admr &c & als Defts } In chancery.

The order of ~~continuance~~ entered on a former day is set aside

This cause came on again to be further heard upon the papers formerly read in the cause, and on consideration thereof, it is ordered that Commissioner Hyatt ascertain and report to this Court, at its next term, the net amount, after payment of expenses of administration, costs, &c, in the hands of James W Orr Admr of A. R. Surgener deceased, for the payment of debts, and to whom the same shall be paid, said Commissioner will also ascertain the net amount of the sales of the real estate and Steam engine in the hands of Commissioners Morgan & Duncan, or that will come into their hands and to whom the same ~~shall~~ be paid, ~~and report his action to this Court,~~ And the cause is continued.

Wm E Burns Exr &c

vs } Decree No 7.

James W Orr Admr

Entered page 71

C. D. Book. No. 3.

J. A. G. Hyatt

CC

Enter this Decree

W. L. K. Mu

Sept 3rd 1887.

W. E. Burnes Exr. &c. Pltff
vs. } In Chy
J. W. Orr adm. & others Defts

This cause came on again further to be heard on the papers heretofore read therein and the second report of Comrs. Duncan & Morgan filed in the cause June 1st. 1887. showing that they had again offered lot No. 1 for sale at an upset price of $2160.00 & that no one would give any more therefor. and that John McClure was the purchaser at that price. And that said commissioners had disbursed and paid out the $1000.00 which they had received at the sale of the lands in this cause made Feb. 22 1887. and was argued by counsel. On consideration of all which said report being unexcepted to the same is hereby confirmed in all things and the sale of said lot No. 1 to the said John McClure at said upset price is confirmed to him. And the disbursements of said $1000. made by said commissioners as shown by their said report is confirmed and made perpetual & the cause continued.

W. E. Barnes Exr.

vs } Decree No 60

J. W. Orr. admr. etal

Entered page 4 &

C. O. Book No. 3.

J. A. G. Hyatt

C.C.

Entered this

30 day 1887.

H. L. H. M.

Wm. E. Burns Ex'tor
v.
James W. Orr adm'r &c } Decree.

This cause came on again this day to be heard upon the papers formerly read in the cause, the petition of S. H. Linsay assignee of A. J. Roller for a re-hearing on the claim presented by him and disallowed at a former hearing of the same, the answer of J. W. Orr adm'r &c, the depositions of witnesses, and the ~~said court being fully~~ ~~heard and~~ ~~argument~~ by counsel, On consideration whereof said petition is dismissed; ~~the order therein referred~~ and the order heretofore entered in the said cause disallowing said claim is affirmed, and said cause is for reasons appearing to the court & by consent remanded to the circuit court of Lee county for such other proceedings as are necessary to be had therein and the clerk of said court will enter this decree in the proper order book of said court, and the deft recover from S. H. Linsay his costs on said petition to be taxed by the clerk, and the cause is continued.

Wm. E. Burns & ux.

v. } Decree

J. W. Orr admr &c

Entered

pages 36-7.

Chcy O. B. Lee

Circuit Court

June 18th 1887.

J. A. & S. Hyatt Cl.

Entered this

In. A. K.

June 10/87

W E Burns executor &c. Pltff

vs } In chcy.

James M Orr Admr &c et al. Defts

This cause came on again this 1st day of April 1887. to be heard upon the papers formerly read in the cause, the report of C. T. Duncan & H. J. Morgan Commissioners appointed by a decree of the Circuit Court of Lee County rendered at its last December Term, to sell the lands of A R Surguer deceased the Petition of M. D Richmond & J W Orr. to be allowed to upset the bid offered by John McClure on lot Number 1. sold by said Commissioners and the offer in open of the said John McClure to pay $2160 for said lot of land and the execution of his note for $300, the additional sum offered by him for said lot and was argued by counsel On consideration whereof, the sales of lots No 2. to James E Surguer, lot No 3. to Wm Weston lot No 4 to D F Burk and sale of the reversion in the Dower lot to James H Jayne be and they are hereby confirmed

action with motion

The sale of lot No. 1 purchased by John McClure is ~~set aside~~ confirmed and said Commissioners Duncan & Morgan are directed to again offer said lot for sale upon

on the same terms heretofore decreed
stating the same at the sum of $2160.00
the sum this day offered for said lot of
land by the said John McClure and
if no person offers a higher and better
bid the sale of said lot to said McClure
at the price of $2160 shall stand con-
firmed as an act of this day, and if
said Commissioners make a resale of
said land they will require the purchas-
er to pay down in cash a sum sufficient
to repay to said McClure the sum paid
down by him with legal interest thre-
on from the 22nd day of Feby 1887 till
paid and any additional commission
to which they may be entitled on said
resale. said Commissioners will out
of the money in their hands pay to the par-
ties entitled thereto their costs, and then
to H. J. Morgan the amount of his lien
with legal interest, and the residue
~~remaining~~ they will pay to Mary Rob-
inson on her Vendors lien. and it
being in the opinion of ~~H. S. H. Marion~~ of
the Judge of this Court improper for him
to try ~~the matter arising in this case~~ the
on the petition of S. H. Levasy assignee

or for the difference between that sum & his bid of 22 Feby 1887 & that sum
said sum of $2160.00
subject to the right of this court at August term to
a report the same & may then allow higher

for a rehearing that petition is on-
ferred for decision to the ~~Hon John A~~ Hon
Kelly Judge of the 6th Judicial Circuit
commencing the first Mon in January 87
at a special term to be held by him at
Estillville in Scott County commencing
on the first monday in June 1887.
~~And James the Plaintiff of the Bring~~
~~decree is directed to pay out the fee~~
~~fund to individuals prorata among~~
~~those entitled thereto as shown by the~~
~~report of Comr. John B. Hyatt and~~
~~the same finally in will be.~~
and the cause is continued.

W. E. Burns Executor

vs. } Decree No. 5

J. W. Orr Administrator

Enter this.

J. S. K. M.

April 1st 1887.

Wm E Burns Exor &c

vs

James H Orr admr &c &c

Jn Cly

This day on motion of S H Levey leave is granted him to file his petition for a rehearing of the exceptions he heretofore made to the report of the Comr in this case disallowing the note assigned said Levey by A. J. Roller on the defendant & another for $621 20/100, & the said petition is accordingly filed & the admr is directed to be summoned to answer the same.

Wm E Burns Exr
vs
Z Deane
Jas W Cromwell
No 84

Nov Term 1886

Executor Ther
for A.R.

26th Nov 1886

Contract C. 569

J. R. Gibson Atty.

Wm E. Burns Executors

vs } In Chy

James W Orr Admr &c et al }

This cause came on again this 26th day of November 1886. to be heard upon the papers formerly read the report of L M Cornical, H. C Joslyn and A. C. McNeil Commissioners appointed by a decree of this Court rendered at its last August Term to assign dower to Nancy Surgener widow of A. R. Surgener deceased also to partition and lay out in tracts suitable to the convenience of purchasers the residue of the lands owned by the said A.R. Surgener at the time of his death and was argued by Counsel. And it appearing to the Court that said report is unexcepted to, it is confirmed on consideration whereof it is adjudged ordered and decreed that Nancy Surgener widow of A R Surgener take and hold the lot designated on the plat filed by said Commissioners with their report as the dower shaded spot, for her natural life as and

for her dower, as the same is described and bounded by the report of said Commissioners; and the Clerk of this Court will furnish the Clerk of the County Court with a copy of so much of said report and plat, as refers to or describes said dower, for recordation in the proper book in his office. And it is further adjudged ordered and decreed that unless the Administrator, and heirs of A R Surgener deceased, or some one for them shall within Thirty days from the rising of this Court. pay to the creditors of A R Surgener deceased the amounts shown to be due, and decreed to be paid them by the decree of the 30th day of August 1886. rendered in this cause, then it is adjudged ordered and decreed that C. T. Duncan & H. J Morgan who is appointed a special Commissioner for the purpose shall proceed to sell the lands owned by the said A R Surgener, at the time of his death or enough thereof to pay off and discharge said several debts, found due from the said Surge-

er, after deducting thereof from the personal fund in the hands of James W Orr Admr. and available for the payment of debts. Said Commissioner will first offer said lands in the lots or parcels as laid off by said Commissioners and designated on the plats as lots No 1. 2 3 4 & down except that he will sell with lot no 4 the said Surgener's Dibrock land and he will sell the down lot subject to the life estate, of the said Nancy Surgener, And then after the lands have been offered in parcels as aforesaid said said Commissioner will offer them all together, subject to the widow's dower as aforesaid and will accept and report whichever mode of sale that is found most advantageous. Said Commissioner will required paid down in cash the sum of One Thousand Dollars which he will apportion among the several purchasers pro rata according to amount of their several purchases, for the residue said Commissioner will take notes with approved security

bearing interest from date, payable in equal annual installments due respectively in one two and three years from date of sale. said sale shall be made at the front door of the Court house of Lee County or on the premises as thought most advisable by said Commissioner, and James M Orr the Admr of said estate. Before proceeding to sell the said Commissioner will give notice of the time place and terms of sale by posting written or printed notice at five or more public places in said County one of which shall be at the Court house door of Lee County and another in the neighborhood where said land lies. Of the sum so said down to him said Commissioner will first pay the costs of this suit & the costs and commissions of sale, he will then pay to Henry J Morgan the amount principal and interest of his debt reported as the first principal he may or ought to demand of each seperate lien; he will take proper receipts for all sums paid by him, and he will pay out any balance in his hands ~~according~~ to Mary Robinson on her lien ~~priority of lien~~

as shown in Commissioner Hyatt's report. And by consent and agreement of parties it is ~~agreed~~ adjudged that the debt secured by deed of trust executed by A R Surgener in his life time to A. L. Pridemore and recorded in his favor shall constitute, after applying to said debt the proceeds arising from the sale of said Mill, a lien ~~according to its priority and date of payment a lien~~ upon the whole of the defendant's payments, of said lands hereinabove decreed to be sold subject however to the claim of Mary Robinson for balance of purchase money due her, on the land sold by her to A R Surgener, but said Pridemore's debt will only be paid out of the sale proceeds. But before said Commissioners proceeds to sell or advertise for sale under this decree he will execute bond in the penalty of ~~Two~~ Thousand dollars, conditioned to faithfully carry out and account for all sums of money received by him in this cause he will report his action to the next term of this court and the cause is continued.

Wm E Burns Exr
vs
Deane No 5
No 3
L W Orr Admr

Entrd 5-76-7
J A & S Hyatt ec

Entered this day
for A.K
Nov 25th 1884

Virginia

At a circuit court continued and held for Lee County &c. Aug 30 1886.

Jno. E. Burns executor Pltff

vs In Chy

James M. Cannon et als Deft's

* * * * * And it appearing to the court that dower should be assigned to the widow of A.R. Surgener decd. it is ordered & decreed that L. M. Carmical, J. L. Joslyn & A. C. McNeil who are appointed Commissioners for the purpose do go upon the lands of which A.R. Surgener decd, seized, and assign to Nancy Surgener, widow of the said A.R. Surgener, one third part thereof in rental value as, and for her dower. But in making said assignment said Commissioners will deduct from the Mary Robinson tract enough thereof to pay the sum of $488.00 the balance of the purchase price thereon due, which they will not take into account in the assignment of said dower, said Commissioners will then divide up the residue of said lands into small farms in such shape and quantity as will suit the convenience of purchasers, and yield the best prices, should the said lands hereafter have to be sold. They will report their action to the next term of this Court, together with a fair plat

Wm E Burns Exr etc,
vs Copy of Decree No 2 } In Chy
Jas. W. Orr admr

Aug Term 1886

Executed Sep 15 by delivering a copy of the writ to J M Cummell and to H C Joslyn and to A. C. McNeal

1886

S H Ewing D S
for R D Hlasley
S L C

Clks fee 1.08
S 1.50

2.11	2.11	4.68
2.00	2.00	4.00
0.11	0.11	0.68

If all this work, and the cause is ended,
I hereby certify
A Copy Test
J. H. Hall C.C.

William E Bates Executor &c. Pltff

vs Ch Ch Ch

James W Orr Admr &c et al. Dfts

This cause came on again this 30th day of August 1881 to be heard upon the

Joapers formerly read the report exhibits and statements of Commissioner J A G Hyatt with exceptions thereto filed by S H Levisay, assignee of A J Roller, and was argued by counsel, On consideration whereof the Court is of opinion that said exceptions are not well taken and the same are overruled and said claim set up by said Levisay as the assignee of A. J. Roller is disallowed, and it is adjudged ordered and decreed that said report and the statements filed therewith be and they are hereby confirmed, and it is further adjudged decreed that such of the parties shown by said report and accompanying statements to be creditors of said A R Surgener, are respectively the said sums shown to be due them, and it appearing to the Court that dower should be assigned to the widow of the said A R Surgener deceased it is ordered and decreed that L. M. Carmichael H. C. Joslyn & A. C. McNeil

who are appointed Commissioners for the purpose do go upon the lands of which A.R. Surgener died seized and after being duly sworn, they will lay off and assign to Nancy Surgener widow of the said A.R. Surgener one third part thereof in rental value as and for her dower, but in making said assignment said Commissioners will deduct from the Mary Robinson tract enough thereof to pay the sum of $488.00 the balance of the purchase price due thereon which they will not take into account in the assignment of dower. And said Commissioners will then divide up the residue of said lands into small farms in such shape and quantity as will suit the convenience of purchasers, and yeild the best prices should said lands hereafter here to be sold, they will report their action to the next term of the Court together with a fair plat of all their work and the cause is continued

Entered on page 559

Entered this day
Jr. J.K.
Aug 30th 1886.

W & Burns 406
vs
B Sumner No 2
F M Adams et al

Wm E. Burns Executor &c. Pltff

vs. In Chy.

James W. Orr Admr &c et al. Defts

This ~~bill~~ cause came on this 30th day of March 1886. to be heard upon the bill of the Plaintiff and exhibits therewith and was argued by counsel And it appearing to the Court that process has been duly served upon the home defendants for more than 60 days before the first day of this term and that they have failed to answer plead or demur the bill is taken for confessed. On consideration whereof and it appearing necessary, it is adjudged ordered and decreed that ~~Thomas J. Per-~~ John A. G. Hyatt one of the Commissioners of this Court, after giving due notice of the time and place of his sitting by publication in the Virginia Herald a Newspaper published in the town of Jonesville for at least two weeks and in such other manner as said Commissioner shall deem proper proceed to state and settle the account of James W Orr, Administrator of A R Sampson deceased

and ascertain the amount in his hands or that will come into his hands and be available for the payment of debts. He will then convene the creditors of said A R Surguine and ascertain the entire indebtedness of said estate and the priorities thereof if any exists. He will ~~ma~~ or shall the entire assetts of said estate and report the ~~the~~ lands owned by said Surguine at the time of his death the specific liens that exist thereon if any and he will report any other matter deemed pertinent by himself or required by any other party interested. and the cause is continued.

Entd page 577 & 18
J. A. Wyatt C.C.

Entd this day
J. A. W.
March 30th 1886

Robinson Auditor
vs
Estate of Surguine
Decd
A R Surguine et al

March Term 1886

Mr S. H. Lenoxy.

You will please take notice that on the 3rd day of June 1887, in the clerk's office of the circuit court of Lee County Va. in Jonesville, I will proceed to take the depositions of Mr. D. Richmond & others to be read in my behalf in a certain matter of controversy now pending in the said court in which you are plaintiff on a petition and I am defendant.

June 1st 1887.

James W Orr, Admr of
A. R. Surgener decd.

James W Orr Admr.

vs } Notice

J. H. Lindsay.

I accept legal service of this Notice.
June 1st 1887.

J. H. Lindsay.

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting:

We Command You to summon M. O. Richmond, W. J. Morgan, France Miles, Timothy Lisk & Chas. Willoughby

J. A. G. Hyatt as Comr

To appear before ~~the Judge of our Circuit Court of Lee County,~~ at the Courthouse on the 3rd day of June ~~Term next~~ to testify and the truth to speak in behalf of Jas. H. Orr Admr, &c.

in certain matters of controversy pending in our said Court between

S. A. Livasy assignee PLAINTIFF and and Jas. H. Orr Admr &c

DEFNDANT. And this they shall in no wise omit under the penalty of Twenty Dollars. And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This 2 day of June 1887, in the 111 year of the Commonwealth.

J. A. G. Hyatt Clerk.

Jas. W. Orr Admrx

ads

S. H. Livasy

To 3rd June 1887

Executed

E. C. Flanary

Deputy for V. C.

S. A. Livasy assignee Plff
vs
Jas. W. Orr Admr &c Deft

On a petition asking for Relieving &c

The depositions of M. D. Richmond, A. J. Morgan, France Miles, Timothy Sisk and Chas. Willoughby taken at the circuit Court clerks office on the 3rd day of June 1887, which are intended to be read as evidence in behalf of the defendant in the above styled cause, pursuant to the notice hereto attached. Present Plaintiff & Defendant,

M. D. Richmond a witness of lawful age being duly sworn deposes and says.

I was well acquainted with A. R. Surgenner during his life time, I had a great deal of business transactions with him covering the space of time from 1860 down to the time of his death, and since the war my business transactions with him has been very extensive, I regard said Surgenner as being a very careless and loose man

in his business transactions, who was not particular about giving or taking receipts and about seeing that his notes were credited when payments were made by him. I now hold a large note against him executed some time during the late war, for about 1500$, which was scaled and has been mostly settled and paid off by him, so nearly so, that I did not present it, to be listed against his estate, I frequently called his attention to the matter and he simply treated it carelessly and risked me to do him justice in the matter. On one occasion he and I bought cattle in partnership, when he executed our notes for the purchase price thereof;- On marketing the cattle he would leave money with me and trust me to lift those notes and settle the matter and this I did and I now have in my possession some of those notes, and he would never pay any attention to the matters after

leaving the money with me trusting all to me, and this was the way he transacted nearly all his business with me, for these reasons, and others which might be given I always considered him a very careless man in his business matters.

As an other instance of his carelessness - I remember the fact that at one time he handed me (I think) 300$ to lift a note, held by the Bristol Bank against him for that amount, which note I did lift and now have in my possession, he never calling for the same nor looking after it, ~~nor~~ did he ever ask or take a receipt of me for the money so left with me to pay the same.

At one time said Sargeant lived on the Preston land, but I do not now remember the time when he so lived there, but at the time he lived on said land, he was a near neighbor to A.J. Poler, and a few years after the war

He took a lot of cattle to Ky & it was reported that he had absconded from Va. and that he would not return and about that time D. S. Dickenson sued out an attachment and had it levied on his property.

It was often remarked that said Sirgenner was hard run, and was not regarded as a very safe man, and his credit was not regarded as good, and yet he had some credit, but security was generally required of him.

As to doubtful men, I think it is the usual course of business men to collect or secure debts owing them and not let them remain outstanding from 20 to 25 years, without an effort to collect.

If I should assign a debt due me to a third party, and should be called upon to state the consideration for the assignment, I do not think I would have any objection to stating what the consideration was, nor did I ever have a note executed to me for the

600$ or any such sum, that I could not readily tell for what such note was executed, and I have had a great many notes executed to me and I have executed a great many, and I always knew what they were executed for.

Since the war I have always regarded A. J. Roler as rather a small farmer whose income and expenses was generally about equal each year, and this I gathered from frequent conversations with said Roler about his matters.

Cross Examination by Deft

Witness States, that as to the Bank note of 300$ I was security on the note with Mr. Surgenner and so was Jas. W. Orr.

Mr. Surgenner returned after the rumor that he had left the State had been circulated, and I understood redeemed his property which had been attached, and stood so far as I know as well as he had before.

If I was to sell a note to any one

and assign the same to him, and was to agree not to tell what the Consideration was, I would hold good my promise

I am now 56 years of age and I cannot see any difference as to my recollection ~~of to~~ my business transaction, with now away any former period of my life but I have heard persons say that after they get 60 years old that their recollections begin to fail, but I suppose much would depend on physical strength as to that.

Re examined by J. W. Orr.

Question by J. W. Orr Mr Richmond please State whether or not you are acquainted with the character of Wm Lambert in the neighborhood in which he lives for truth and veracity?

Ans. I am to some extent acquainted with his Character from what I have heard his neighbors say.

Question by Same. Mr Richmond you will please State whether that character so learned by you is good or bad?

Ans I regard it as bad.

Question by same. From the knowledge thus derived

of the character of William Lambert for truth and veracity, would you believe him on Oath?

Ans I would not like to give him full credit from the character he has, and from what I hear men say of him.

Examined.

I only speak of Mr. Lambert from what I hear others say, and not of him from what I know myself.

And further this witness saith not.

M. D. Richmond

Chas. Willoughby other witness of lawful age being duly sworn deposes and says=

I am acquainted with the character of Wm. L. Lambert for truth & veracity. ~~& it is bad~~ in the neighborhood in which he lives. & that character is bad: & from this character, I could not belief him on oath, uncorroborated. I have seen said W. L. Lambert impeached more than once in a Court, or Courts, of Justice. to wit= in the County Court of Sullivan County, in the Federal Court, at Abingdon, Va= & before a Magistrate of Sullivan County.

Wit claims 50¢

And further this witness saith not.

Charles Willoughby.

W. J. Morgan an other witness of lawful age being duly sworn deposes and says.

I have been well acquainted with A. R. Surgenner from the year 1858, down to the time of his death, From the year 1858 to the year 1874, I considered him as of doubtful solvency, and during that period I have frequently heard others speak of him in that light, from 1874, to the time of his death, he seemed to be gaining property, and his credit was better than prior to that time, but in any large business transaction, he was required to give security during the period above mentioned, suits were frequently brought against him for debt. I always regarded him as rather a careless man in the transaction of his business, frequently neglecting to take receipts when he paid money, and in failing to take in notes, when he had paid or nearly paid them, and in my transactions with him, such was the case, but the

Credits were generally placed on his notes by me, upon my promise to him that I would do so, and possibly he may have seen me place some of the credits on his notes. As well as I now remember in the fall of 1867, said Surgener went to the State of Ky with a lot of Cattle, and about that time it was reported in the neighborhood that he had left the State not to return, and about that time D.S. Dickenson sued out an attachment against him and had it levied on said Surgeners property. I at that time held two joint notes on said Surgener & Dickenson and by direction of the latter I brought suit against them jointly, and at the Novr. 1867 of the County Court. I obtained a Judgt, against said Dickenson on said notes, and at the following March Term 1868, I obtained a Judgt against said Surgener on said notes, he having returned home. One of said notes was for 100$ and the other was for 500$, in the first

notes Surgenner's name was first signed to it, but on the 500$ note D. S. Dickenson's name was first signed and this note was for borrowed money which A. R. Surgenner first applied to me to borrow, but I required them both to give their note, and my impression now is that I required Dickenson to sign first, because I considered him more solvent than Surgenner,

The balance on these debts I have just recently collected from Surgenner's Estate since his death, (by sale of his Real Estate) as before stated I obtained Judgt, on said notes in 1867-8, and occasionally had Executions issued thereon, and about the month of Dec. 1881, I required said Surgenner to execute a Deed of Trust on his home place to further secure said debt on Judgments.

My observation is that it is the custom among prudent business men, holding debts on others of doubtful solvency, to take steps to collect or secure their debts by obtaining

Judgments, Mortgages, or deeds of Trusts, without letting them lay any great lapse of time without acquiring such security as a Judgt, Deed of Trust &c, but I cannot speak of any particular person, except myself, who pursues such a course, but do think that all prudent persons pursue such a course of business.

I have during my life executed a great many notes or bonds to other parties, and during my course of business I have taken quite a number of notes payable to myself, and with one single exception as far as I now remember, I can state upon looking at the note, the consideration which induced their execution, and the exception above refered to is a note executed by me to Joseph Campbell for 40$ about the year 1856 and when I paid said note about the 1873 or 4 I had forgotten for what I executed said note, and ~~do not remember~~ down to this time I fail to call to my mind what the 40$ note was executed for. I

about the same time (1856) I loaned Joseph Campbell 100$ & took his note therefor, which I remembered distinctly, and still remember it, while I forgot all about the 40$ note & my opinion is that one would be more likely to remember the Consideration of a note held by himself, than one given by him to an other, and for the reason that holding and frequently seeing the note he holds, it reminds him of the transaction, while on the other hand he might possibly forget, not having any thing to remind him of the transaction.

I have generally been willingly and ready where I have assigned notes to others, if called upon to tell what was the Consideration which induced the assignment and so far as I now remember I have never had any reason to withhold such information when called for.

But it is possible that I might make an assignment of a note to some person, in such a way or under such circumstances as that I would not like to disclose such consideration, but I think it is rare for such assignments to be made, unless there was some immoral, illegal or improper motive or consideration, but if I was to make such an assignment under a promise to the assignee not to disclose the consideration I should not willingly do so.

X Examined

I think Mr. A. R. Surgener lived some years on what is known as the "Preston Land", but the length of time I cannot state, nor can I state when it was, I also think that while he lived there he bought what is known as the Herald farm, during the time he occupied the Preston Land, it was said he raised considerable crops, of corn &c, traded in stock, such as horses, cattle hogs &c and fattened and sold hogs. and while he was doing

this he was considered as being considerably involved, he as I have stated bought the Herald farm and ultimately paid for it as I suppose for he afterwards sold it to N. S. Cox and Samuel Poteet but I cain't state where he lived when he paid for said land, or how he paid for it. —

I am now 60 years old, and I feel confident that my memory is not so good as it was when I was 40 or 50 years of age, and I think the older a man gets after he passes the age of 60, the more treacherous his memory is likely to become, but it is possible that there may be persons who will retain their memory almost unimpaired beyond that period but I think such cases are rare.

And further this witness saith not.

Henry J Morgan

Timothy Sisk a witness of lawful age being duly sworn says.

Question by Jas. W. Orr. Deft. &c

Are you acquainted with the character of

Wm Lambert in the Community in which he lives? for truth and veracity

Ans I am.

Q-by same. What is that character, Is it good or bad?

Ans It is bad.

Question by Same. - From that character would you be-
- lieve him on oath?

Ans I would not.

Question by Same. Have you ever known him impeached?

Ans. I have, in the Federal Court at Abingdon.

Wit Claim 50¢

And further this witness Saith not. Timothy his X mark

France Miles a witness of lawful age being duly sworn says.

Question By Jas. W. Orr. Adm &c.

Were you well acquainted with A. R. Surgener and was he for several years after the war looked upon as a man of doubtful solvency and as liable to break?

Ans I was well acquainted with said A. R. Surgener, since the war down to the time of his death, he was frequently said to be in doubtful circumstances, and his property was attached on by D. S. Dickenson at one time, at which time it was

reported that he had run off and left the Country

Had I held a note against said Surgenner for a large or small sum I would have tried to collect the same during such rumors -

I never had any note executed to me for any amount, but what I could tell for what the note was executed for — I have had considerable dealings with said Surgenner and I considered him rather careless in the transaction of his business, and when he was forced to pay anything he was particular about taking receipts, but when not forced he was rather careless in business -

X Examined

After Surgenner returned from Ky — I understood he got all his property back which had been attached by Dickenson, but I dont know the fact whether he got it back or not, nor whether he paid Dickenson his claims or not, —

Witness claims 50¢

And further this witness saith not.

Lorance Miles

17

The Plff. S. H. Lucasy here admits that the evidence of Wm. Lambert heretofore taken by him has been successfully impeached. J. A. S. Hyatt Comr. &c

James W Orr another witness of lawful age and being first duly sworn deposes & says. —
After I had qualified as administrator of the Estate of A. R. Surgener decd, A. J. Roller on some three different occasions asked me if I had found anything among said Surgener's papers against him. I from Mr Roller's enquiry and manner was doubtful as to what his object was, and gave him an evasive answer until finally I told him I had not. This occurred before Comr. Hyatt took the account of debts against said estate, and on the occasions above spoken of Mr Roller did not inform me he held a note against said estate, and the first, as I now remember, that I heard of his having the note in controversy, Judge C. T. Duncan told me of the note, about the time the Comr was appointed, and on the day the Roller note was presented to Comr. Hyatt, Mr Roller said to me in presence of S. H. Lucasy that if I had receipts against the note to bring them forward and that would settle the matter at once. He acted to me as though he expected me to produce his receipts showing the payment of said note. And further this witness saith not.

James W Orr.

The plaintiff S. H. Livasy admits that the note in controversy was not listed and assessed for taxation against said Roler at any time since its execution, but as to why it was not given in by said Roler to the Commissioner of the Revenue and so assessed the plaintiff and defendant do not pretend to know or admit.

J. A. S. Hyatt Coner.

The foregoing depositions were taken before me, subscribed and sworn to by the witnesses, in due form at the time and place and for the purposes mentioned in the caption given under my hand this 8th June 1887.

J. A. S. Hyatt Coner. in
Chancery for Lee County Court.

Bill of Costs.

Witnesses	$1.50
Sheriff	1.00
Coner.	3.50
	$6.00

Jas. H. McAdams
adv
Depo
J. H. Lucas (assignee)
Taken before me
as Comr, and filed
June 3rd 1887
J. A. L. Hyatt Clk,

Cost of Depo
Wit 1.50
Sheriff 1.00
Comr 3.50
$6.00
Clk .80
6.80

S. H. Levacy assignee &c
vs
James W. Orr adms of A. R. Swagner } In Chancery
now pending in the
circuit Court of Lee County State of
Virginia
Deposition of Mat Bishop witness
for plaintiff in the above Styled
case taken taken upon Notice on
the 24th day of May 1887 at wilsons
and Stookesberry Stone House at the
Residence of Mat Bishop or near
the Residence in presence of plaintiffs
Agent defendant not present The said witness aged 46
being duly sworn deposed as follows

Question 1st now Mr Bishop please state if you
are acquainted with the plaintiff or
Defendant in this case

Ans I am acquainted with both

Question 2 Mr. Bishop state any thing you
may know about the selling of one

one or 2 negroes belonging to
Francis Bishop Dec

Ans I taken by the Order of the adm
of Francis Bishop Dec because to green
Hill Church, Lee Co Va one Negro woman
& girl which was placed on the Block
for Sale A J Roller bid them off
for thirty Five or ~~six~~ Hundred dollars
and I only Received Nine or ten hundred
Dollars and he gave his Note for
~~this Note~~ for about twenty six hundred
Dollars to me as I was acting for the
adms

3 ques Now Mr Bishop please state if you
know what Ever become of the
note you spoke of Executed by
A. J. Roller to the adm of Francis
Bishop Dec

Ans my Recollection is that A J Roller
Executed his Note to me for about
twenty six hundred Dollars and I believe
that I still have the Note among my
~~old~~ papers

4th question Now Mr Bishop please state if you
Remember the time when the note
you speak of was Executed

Ans in February or March 1865

further Deponent Mat. Bishop
Sayeth Not

the forgoing Deposition wer taken before me as stated in the caption and Reduced to writing by me and I certify that I am not interested in the Cause nor of Kin nor Counsel to Either of the parties and that I sealed them up and put them in the post office without being out of my possession or altered after they was taken

Given under my hand the 24th day of May 1887 J. M. Wilson J P for Union County

Fee Bill Justice H. H. Richmond	
for 1 Subpoena	25
& Shff G. W. Irwin Servs same	25
Justice for this Deposition	1.00
for Copying Cost	15
Mat. Bishop witness one day	1.00
J. M. Wilson J. P.	2.65

S. H. Irvin assignee

vs } Deft.

J. W. Orr Admr &c

Mat Bishop

Recd by mail in good
Condition filed
June 1st 1887
J. Als Hyatt C.C.

Bishop

Cost of Depo $2.65
Clerk's fee .75
$3.40

To J. H. Orr Admr &c

You are hereby notified that on the 31st day of May 1887 at the dwelling house of J. M. Tatto on Blackwater between the hours of 10 o'clock A. M and 6 o'clock P.M. of said day, I shall proceed to take the depositions of Samuel Pollard and others, to be read as evidence in my behalf, in a certain action or suit in chancery now pending in the circuit court for the county of Lee, wherein I am Plaintiff in the petition of myself in the cause of Burns Exr &c vs. J. H. Orr Admr et als and you are defendant; and if from any cause the taking of the said depositions be not ~~taken~~ commenced, or if commenced, be not concluded on that day, the taking thereof will be adjourned from day to day ~~and~~ at the same place and between the same hours, until the same shall be completed.

May 30th 1887

S. H. Crisay
per counsel.

S. H. Linsay

vs { Notice to take Depos.

J. H. Orr Administrator

I accept legal service of this Notice. May 30/87.

James W Orr, Adm.
&c.

The depositions of Samuel Pateet, James Pateet, Alexander Rutherford, & Wm Lambert taken at the dwelling house of J. M. Tate on Blackwater, pursuant to notice, which are intended to be read as evidence in behalf of D. H. Lenasy assignee of A. J. Roller, plaintiff in a petition filed by said Lenasy in a chancery cause now pending in the Circuit court of Lee County Va. in which Wm E Burns Ex &c is plaintiff and James W Orr Admr of A. R. Surgener decd & als are defendants, and in which petition the said Orr Admr &c, as aforesaid is defendant. June 1st 1887.

The said Samuel Pateet a witness of lawful age and being first duly sworn deposes & says. The defendant James W Orr Admr &c, being present, objects to the retaking of the depositions of the said Samuel Pateet, James Pateet, Alexander Rutherford & Wm Lambert because the depositions of said witnesses have been once taken in this cause by plaintiff, on the 16th day of May 1887, and no leave of the Court to retake them has been granted.

James W Orr, Admr &c,

Witness States he saw a note executed by A. R. Surgener and S. S. Surgener Exhibited to me first - as I now recollect - by A. J. Roller for about that amount Six hundred and Something. and my name was to the note

as a witness and it looks like my hand write and I believe it is, but I have no recollection of signing the note as a witness The names of A. R. Surgener and S. S. Surgener that was signed as the obligors to the said note was in the handwriting of A. R. Surgener is my judgement. I have been acquainted with A. J. Roller thirty five or forty years I have always thought Mr Roller was in tolerable easy circumstances as far as I know.

Question By Plaintiff

Do you or not believe that A. J. Roller is a man of truth and veracity.

The defendant excepts to this question because A. J. Roller is not a witness, except as to his affidavit before the Comr. and can not be, in this cause, and has not been impeached.

James W Orr. Admr &c

Ans. by witness Yes Sir.

Question By Same. Please state what circumstances A. R. Surgener was in financially since the war.

Ans. by witness Mr A. R. Surgener has been always in tolerable good circumstance as regards his personal effects, as far as I know.

+ Examined by Deft.

While Mr A. R. Surgener handled a good deal of personal property, was it or not a fact, that he was a trader or speculator, that was often considered unsafe and liable to breaks

Ans. By Witness. Yes Sir.

Question by Same - Did he or not leave the country soon after the war and was it not reported that he had run off, and did not some of his creditors, D. S. Dickinson & others take out attachments against him at that time?

Ans by witness Yes Sir, and there was some attachments taken out.

Question by Deft. - What has been A. J. Rollers condition financially, has he been a man with much money, or only a man who made plenty to live on? And have you ever known him pushed for debts?

Ans. by Witness I always thought A. J. Roller was a good liver, but I never thought he was a man of much money I know nothing of my own knowledge only what I have heard that he had some distillery fixings living on and sold.

Plaintiff Objects to the latter clause of the question being answered.

Question by Same. - What is the usual course of men in regard to debts on persons who are of doubtful solvency or liable to fail? And what would be your course?

Ans. by Witness. The usual course of men is to try to make their debts. I know that would be mine.

Question by Same. - If you owned or held a debt on a person and was to assign it to some one else would you object to telling what you received for it?

Ans. by witness. I dont think I would.

Question by same. – Have you had dealings with A. R. Singer deceased, and what sort of man was he in regard to business transaction, with reference to carefulness or loosness & carelessness?

Ans. by witness. I always viewed him, as a verry carless man as to taking and giving receipts in his dealings. I have had considerable dealings with him, myself. And have seen him transacting business with others.

Question by Same. – Did you or not live close to A. J. Roller during the war, and if so how near and for what length of time?

Ans. by Witness I did during the war and for one year after the war. And within from one half to three qarters of a mile, I was frequently about his house during my living in his vicinity.

Question by Same – Was Mr Roller, or not, the owner of any negroes during that period?

Ans. by witness Not that I know of or Remember of.

Question by Same – Do you remember the execution of the note referred to by you in your deposition; And do you remember signing the same as a witness?

Ans. by Witness I have no recollection of it whatever I have no knowledge of signing it as a witness nor do I recollect any thing about the execution of said

Note. and the first time I heard of the Note A. J. Roller told me he held a note on A. R. Spurgeon and that I was his security, but afterwards I saw the said Roller again and he told me that I was not on the note as security but a witness. he stated he had not seen the note for some time and that he was mistaken. I told him at the time he said he held the note against me that he was surely mistaken that he certainly held no such note against me. This all occurred since the death of A. R. Spurgeon.

Question by same.— You state that you have no recollection of signing the note as a witness, but that your name thereto looks like your hand write, might not some one have signed it and made the signature very much like your own?

Ans by same.— It might be done. I have heard of such things being done,

Question by same.— Have you ever taken many notes to yourself, and have you ever taken a note for as much as $600.00, or any other sum, that you could not tell at any time afterwards, as long as you held said note, what it was executed for?

Ans by Witness I never did, I have taken a heap of notes and given a heap. and I think I could always tell.

Reexamined By Plaintiff

Qu. by Plaintiff

How long did you ever a have a note that was executed to you. how many year.

Ans. by Witness I dont remember how long I ever had the longest one. I have held some longer than I wanted to. I believe I now have a note on a Mr Duff. Some 20 odd years. The reason I did not push the man I thought well of him a good friend, and he paid some along on the note, paid it down to a small amount. And he left the country years ago. And I still have the note.

Qu by Same.

Do you think a man of A. J. Rollers age has the recollection that a man has that is a good deal younger.

Ans. by. Witness I dont suppose he has.

Qu by Same.

Do. you or not know of A. R. Surgenor and A. J. Roller having considerable dealings in stock of various kinds for the last 20. or more years before the death of A. R. Surgenor.

Ans by Witness I know of them dealing some along. occasionally.

Qu. by Same. Do you or not know of A. R. Surgenor

having large lots of stock on hand falling them &c. And did you ever know any one to refuse him credit while he stain in your neighborhood.

Ans. by Witness I have known him to have a good deal of stock and fat them (Hogs) and as to his credit I think Surgeuner had to be backed by some one as security, when he bought any thing like a large amount of stock.

And further more this deponent saith not. Samuel Potect

James Potet an other witness of lawfull age being duly sworn deposes & sais.
I rember of helping weigh a lot of hogs that A. R. Surgeuner bought of A. J. Roller my recollection is in the year of 1859. The hogs after the hogs were weighed went into the house to make a calculation, and draw a note, but I was not present nor seen the note. My recollection is there was something near one hundred hogs, but I dont recollect the amount. I have known A. J. Roller a long time and since the year of 1859 A. J. Roller has been to my knowledge in easy circumstances financially.

X Examined by Deft.
What kind of hogs did Mr Surgener buy from Mr Roller.

Ans by Witness They were fat ones, and that it was in the fall of the year.

Question by Same.— Did Mr Sungener buy them alone or was Some one in with him?

Ans. by Witness. I dont recollect.

Question by Same.— Were you well acquainted with A. K. Sungener, and was he a trader and speculator in live stock & Sometimes considered failing or broke?

Ans by Witness I was, and he was a trader and Speculator, and Some times it was rumored at times that he was broke, but I did not consider him broke no more at one time than another but I considered him broke all the time. he took a large lot of cattle off to Market at one time and it was reported generally that he was broke and Dickenson Daniel S. taken out an attachment and had his stock all levied on but when Sungener returned he went over to Dickensons and drove his stock back, I dont know whether he paid anything or not to Dickenson and I dont believe he owed Dickenson any thing.

Question by same.— You speak of Mr Roller's Condition. Was he a man with much money, or only a good liver with plenty of grain &c to live on?

Ans by Witness My opinion is that Roller had Some Money but I dont know.

Question by Same.— Did you, during his lifetime, have dealings and business transactions with A. R. Sungener, and if so what was his habit in regard to taking and giving receipts for money. Was he careful to do so, or not?

Ans. by Witness I have had dealings with A. R. Sungenner and I dont believe there was ever any notes between us some times he would pay me down and some times a port and along as I would go to him for it. I dont know what his habit with others was, he took no receipts nor did I take any.

Question by Same.— What is the usual course with prudent men who have large debts on men considered of doubtful solvency, what would be your course, is it to try to collect or secure their debts or to wait for many years?

Ans by Witness.— The usual course is to collect their debts and it would be mine to collect if I could.

Question by same.— Have you had notes executed to you for property &c. And if so have you ever had any for any considerable amount, that you could not tell afterwards what it was executed for?

Ans by Witness I have had some notes executed to me and I could always tell what they were for. and their amount.

Question by same.— If you held a just note on me or any one else, and was to assign it to some one else, would you object to telling what you received for it?

Ans by Witness I might tell, and I might not.
And further More this deponent
Saith not.

James Potter

Alexander Rutherford an other witness
of Lawful age after being duly sworn
deposes and Sais. Mr. A. J. Roller and
I was on a land trade. And Roller proposed
to let me have a note or notes (my recollection
is there was more than one note) in payment
of my land. ~~I afterwards seen~~ on A. R.
Surgener and S. S. Surgener. I afterwards
saw A. R. Surgener and he told me the
notes were just and all right: ~~and~~ but
that he was not then, ready to pay them
off. My recollection is I asked Roller for
the land about twelve hundred dollars, I
dont rember the amounts of the notes were,
but a considerable amount. I have been
personally acquainted with A. J. Roller's circum=
stances since the war. and he has been
in verry good circumstances or at least
it appeared that way to me. I never
thought A. J. Roller to be a man that women
tell a great deal about his business. I dont
think a man of Rollers age has the
recollection of a man ten or fifteen years

younger. being as well acquainted with A. R. Surgener as I was. I would not have sued him on the note, because it was reported he was broke up. and I would have been fearful that I would have had to pain out good money for bad. When A. R. Surgener came to the Preston lands it was said of him, he was not worth any thing, but he gathered up in Stock, and must have made a good deal of Money while he lived there from the Stock he handled. My recollection is that the time that A. J. Roller proposed to make the land trade with me, that it was about the middle of the time, he Surgener occupied the Preston lands. Surgener lived on the Horan Eight years, occupied it nine years.

~~I Examined by Deft~~

And further. More this deponent saith not.

A. E. Rutherford

William Lambert an other witness of lawful age being duly sworn deposes & sais. I heard A. R. Surgener tele his wife in my presence that he owed A. J. Roller a note of over six hundred dollars. the cause of him telling his wife that. they

were having some difference about a horse and Surgeyner told his wife to keep her mouth shut or she would make A. J. Roller mad and that he Roller would punish Surgeyner for the same note. It was during the time of his stay on the Preston farm that this conversation occurred in my presence. he also said to his wife at the same time that Roller had been good to him and therefore did not wish him to be made mad. After this conversation occurred I lived with Surgeyner about two years and may be more. I have no knowledge of his paying off the note at any time. I have known A. J. Roller ever since I know any body. he has always been a man in easy circumstances, as far as I know. A. R. Surgeyner was at the time I lived with him doing well he handled a great deal of stock fattening hogs, & sold. and seemed to be doing well.

+ Examined by Deft.—

How long since the conversation occurred?

Ans by Witness. I don't tell.

Question by Same. How long did you state it to be in your affidavit filed in the cause last too?

Ans. by Witness I don't remember now.

Question by Same. — Who was present & where was it?

Ans by Witness I think S. S. Surgener and S. A. Livsay was present, and in the house of A. R. Surgener before breakfast, that the dispute occured.

Question by Same. - What was the dispute about and what about the horse?

Ans by Witness. It was a horse of Mr Surgener which had been at Rollers, and Mrs Surgener wanted the horse brought home.

Question by Same. - Did Mrs Surgener manifest any ill feeling on that occasion toward Mr Roller or his family?

Ans by Witness. - Yes I think she did.

Question by same. - If you can not now remember how long it has been since this occurred, nor how long you stated in your affidavit that it had been, how can you now remember that it ever occurred or what was said?

Ans by Witness Well Sir I dont remember it -

Question by same. - Then may you not be entirely mistaken as to whether or not it did occur and especially as to what was said.

Ans by Witness. That occurred what I said about Surgener & his wife and what they said and I am not mistaken I dont think.

Question by Same. - Who refreshed your recollection of said Conversation?

Ans by Witness S. A. Livsay.

Question by same. - What did you state in your deposition taken in this case on May 16th 1887, in regard to A. R. Surgener's

carelessness about taking receipts &c?

Ans by Witness I said Surgener was very particular about settling up his business, and taking receipts.

Question by Same.- What grounds had you for that statement, and who did you ever see him take a receipt from?

Ans by Witness all the grounds I had is what I knowed of him and I dont now rember of any one who he took receipts from. I know he was very particular with me.

Question by Same.- Did you execute a great many receipts to him?

Ans by Witness. not that- I rember, I mean that- he was particular ~~with~~ in settling with me.

Question by same- Was he also prompt in paying you what he owed you?

Ans. by Witness.- Yes he always paid me tolerable well.

Question by Same.- While Mr Surgener was living at the Preston land and was doing so well, was a good time for him to have paid Mr Roller anything he might have owed him, was it not?

Ans by Witness I reckon he could have paid it, always had plenty of money,

Question by Same.- Did you or not tell Wm P Weston in Jonesville after A. R. Surgener's death, to make off an account against-said decedents estate even to the amount of One thousand dollars and that he could prove it by you?

Ansly Witness I have no recollection of any such conversation in that way.

Question by Plaintiff on reexamination.

Do you or not mind of my coming to A. R. Surgeners when he lived on the Preston place and levying on the property of A. R. Surgeners and taking them off.

Ansly Witness, Yes Sir I do, he took two horses off.

And further more this deponent saith not.

William his ✗ mark Lambert

Jno. T. Livsay an other witness of lawful age after being duly sworn. Sais. on the Morning of May the 21st 1887 Jno. M. Lee an acting justice of the Peace in and for the Said County of Lee. delivered to me in my office at Blackwater a batch of Papers he said were Depositions taken before him in the above case. and I mailed them with the proper amount of Stamps on the back of the Envelope and Stocked them in the Mail bags in the direction of Jonesville where they were directed to the Clerk of the Circuit Court of the Said County. on the Same evening of the 21st

Jno. T. Livsay Jr

at Blackwater Lee co. Va.

State of Virginia }
Lee County }

I John M. Tate an acting Justice of the Peace in and for said County do certify that the foregoing depositions were taken before me as stated in the caption on the 1st day of June 1887, in the presence of Jas. W. Orr Adm. &c. representing the Defence and S. H. Sivray assignee &c. representing the prosecution, and the Witness were all sworn by me, and that they subscribed to the same in my presence and that I now seal them up and deliver them up, to the Post Master at Blackwater Lee County Va with my official Signature across the Seal, without being altered or changed since they were taken, and this being the second time the same has been taken I further certify that when they were first taken before me on May the 16th 1887 at my house I certified the same, and placed them in the Post-office at Blackwater Lee County Virginia on the Morning of May the 21st 1887, directed to the Clerk of the Circuit Court of Lee County Va. Sealed up with my official Signature on the back of said Envelope, and that the

S. St. Livasy
on petition
vs
Depo.

Jas. M. Orr Admr

Rec'd by mail and
filed June 3rd 1887.

[illegible]

Patent -
Rutherford

Cost of Depo. $14.25

The depositions of S. S. Surgener and A. J. Roller.
taken before me in taking an account of the debts against the estate of A. R. Surgener decd, Aug. 12th 1886.

S. S. Surgener a witness of lawful age being duly sworn says, Some time before the death of A. R. Surgener, A. J. Roler informed me that he held a note against A. R. Surgener with my name signed thereto as security, which was the first information I ever had of the existance of such a note, I afterwards had some talk with A. R. Surgener about said note, I cannot remember what he said about the note, Mr. Roller after the death of A. R. Surgener showed me the note, which I considered out of date and so informed him, I do not think I ever saw said note before, I am certain I never signed my name to said note

X Examined

Question by A R Surgeners. Admr.

Please state as nearly as you can when said Roller first Rec'd this note to you?

Ans, It must have been some five or six years before the death of A.R. Surgenner who died Septr. 9th 1885, he never named it to me afterwards during the life time of said A.R. Surgenner, Mr. Roller did not demand payment of me, but simply said that he held such note with my name to it, and he did not suppose I knew anything about it, and further said that it ought to be settled up.

Question by same Between the date of the execution of the note here in controversy Aug 1859 and the time when he first mentioned said note please state if you had any dealings or business transactions with A J Roller and give the details of said dealings or transactions?

Ans I dont remember that I ever had any dealings myself with said Roller, but I paid to A.J. Roller, I think some time in the year 1866 a note of about $50.00 or $60.00 which said Roller held against A.R. Surgenner and lifted the same.

Question by same, at that time did Mr Roller state anything about this note, or did he claim at that time that either you or A.R. Surgenner owed him anything else

Answer Not that I recollect of.
And further this witness saith not.

3

S. S. Burgoyne

A. J. Roller a witness introduced by S. H. Levasy the holder of the note in question, being duly sworn says

Question by Levasy, At the times you have been assessed since March 27th 1876. what has been the usual question put to you concerning solvent bonds? &c?

The deft Amer of A R Surgeon objects to the deposition of A J Roller because A R Surgeon is dead.

Dunean for Amer

Answer The question usually asked me has been, "whether or not I held any solvent bonds beyond my indebtedness?" and my answer has been that I had not, I have not considered at any time that I had more owing to me than I owed considering the notes out against me.

X Examined.

Question by A R Surgeons Asst. How much did you owe in 1876. and to whom did you owe it?

Ans, I cannot tell you how much, but I owed to Frank Bishop's Estate a note of $2700.00 I think and the same is still outstanding, I have never paid anything on it.

Question by same Why have you not paid the Bishop note.

Ans- I have never been asked for it. & have never offered to pay it.

Question by same. What was the note executed to Frank Bishop for, and when was it executed?

Ans- I cannot tell you exactly what time but it was some time in the war, and it was for a Negro.

Question by same. Who else did you owe in 1876.

Ans I do not recollect, I cannot state.

Question by same Did you owe any body else at that time or in the year 1877 any debt to the amount of $25.00

Ans I cann't state as to that, I suppose I did,

Question by same. Were there any other debts due or owing to you at that time 1876. & 1877 by any body if so whom and state the amount of each debt.?

Ans Oh: I don't recollect, I cant state them things.

Question by same Have you no recollection of any other debt due you at time.

Ans I cannot state any thing positive of that kind, by referring to my books & I might tell you something about these matters.

Question by same, If you cant answer these questions how was it possible that you could state to the Commissioner of the revenue that you owed more than was coming to you,

Ans- I have just answered that by speaking of that one note of $2700.00.

Question by same.- How did you stand with reference to your debts in 1885.? Did you have as much due you as you owed or not?

Answer. I do not recollect how it exactly stood but I consider that I owed as much as was coming to me.

Question by same How long before the close of the war was the Bishops note executed.

Ans. I cannot tell you that, it was in time of the war when court was held for this County at Green Hill Church in this County.

And further this witness saith not.

A F Roller

Witness Claim

James Poteet 50 ¢ } as orn
Samuel Poteet 50 ¢ } Admr

James M Duff

James W. Orr Admr.
ads { Evidence on Note $22.00
L. H. Levicy assignee

+

{ Rolles
Suggenes

Wit vs Orr 1.50

Virginia

Lee County, to wit:

I, Andrew J. Roller, do solemnly swear, that the note hereto attached, executed by A. R. Surgenner and witnessed by Samuel Poteet, on the 3rd day of August 1859, due by the first day of January next after the date thereof, for the sum of $620.20 is just and true, and that the same has not in any way been paid, and said note is not, to the best of affiant's recollection, entitled to any credits of any character whatsoever.

And that said note and its accumulated interest is now due S. H. Livacy, to whom affiant has assigned the same.

Affiant cannot say that Stephen S. Surgenner executed said note, but believes the signature thereto of Stephen S. Surgenner, to be in the hand writing of the said A. R. Surgenner deceased, nor can affiant say if such is the case how the same came to be attached thereto. So help me God. July 8th 1886. A. J. Roller

Cross examination on the foregoing affidavit.

Question by Admr of A.R. Surgener.

You state that this note was executed by A.R. Surgener. Where was it executed and what was it executed for.

Answer I can not tell where it was executed at, I suppose it was over here some where round, it has been so long that I cannot say where it was. nor can I state what it was executed for, he Surgener bought hogs & corn of me & I had loaned him some money along.

Question by same. Did he buy any hogs or corn from you in 1859. if so how many hogs and how much corn.

Answer. I cannot tell you whether he bought any hogs or corn of me in 1859 or not, its like he did I cannot state positive about it.

Question by same Can you state that it was executed for hogs and corn.? or can you state that any part of this note is for hogs or corn and if so how much is for hogs and how much is for corn.?

The assignee, S. H. Livacy objects

to the foregoing question, because he has no attorney present.

J. A. L. Hyatt Comr.

Ans I cannot state any thing about it that far back, its a thing I never charge my recollection with, when I get a note I never charge my recollection with what it was give for. especially that far back.

Question by same. Did you ever present it to A. R. Surgner or S. S. Surgner for payment.

Answer I have to Abe, and think I said something to Steve about it.

Question by same When did you present it to Abe. State the last Time.

Ans I don't recollect what was the last time.

Question When did you present and who was present.

Ans I don't recollect any thing about where only there about home.

Question by same Did A R Surgner ever pay you for any hogs or corn he bought from you.

Answer I think he has some sir, if he had not.

he would be owing me a great deal more than that-

Question by same. Has he paid you for any hogs or corn since the year 1859.

Answer Oh! I don't recollect about such things as that unless I was at home to examine my papers.

Question by same Did he ever pay you for any hogs before the year 1859. if so what year?

Ans, I don't recollect any thing about that Sir.

Question by same You state in your affidavit that you have sold this note to S H Lovasy what has he paid you for it or what was he to pay for it.

The foregoing question is excepted to, because, not relavent to any enquiry before the Commissioner.

A. L. Pridemore

Ans. I am unwilling to answer this question

Question by same Have you sold it to him at all.

Ans. Yes Sir. I have, So help me God.

A J Roler

Virginia. Lee County, to wit.

The foregoing Affidavit and the answers on the cross examination made by A. J. Roller, was duly sworn to before me by said A. J. Roller July 8th 1886. J. A. G. Hyatt Comr. &c

S. H. Livesy
vs } Evidence of
} Debt.
A. R. Surgenner et

Depo.

Robbr_

$6,120.00

By the [illegible] day of January next we or Either
of us [illegible] ourselves hereto to pay Ad Roller
Five hundred & Twenty Dollars Twenty &
for Value Received of Him awaiting
our hands and Seal This 30th day of August
1859 A R Sergeant Seal
Signed Sealed Stephen G. Sergeant

I sine the with in note
over to J H Lissay noe
recourse on me this
June the 28 1886
A J Roller

Sergners
To Note
$620 20

Prin $620.20
Int $27.50
$647.41

Lee County to wit-

I Jno. M. Tate an acting justice of the Peace in and for said county certify that Samuel Potet personally came before me and made oath to the following statement to wit- On the 30th day of Aug. 1859 as appears of date I witnessed a note executed by A. R. Surgener and Stephen S. Surgener for six hundred and twenty dollars and twenty one cents to A. J. Roller, and the same note was to day exhibited to me and since I assigned said note as a witness then appears on the back of said note an assignment from A. J. Roller to S. H. Livsay June the 28th 1886 The said affiant states further that the signatures of his on said note as witness is his own hand write and that his knowledge of being called on to witness said note is clear as to A. R. Surgener, and the signature of A. R. Surgener and S. S. Surgener is in his judgement A. R. Surgener's hand write, and the said affiant furth states that ~~S. H. Livsay~~ he never named any thing about said note until this morning Nov. the 24th 1886. to ~~him~~ S. H. Livsay.

Samuel Potet

Sworn to and subscribed before me Nov. the 24th 1886. Jno. M. Tate J.P.

James Potter also appeared before me and made the following Statement in regard to said Debt named in Samuel Potters affidavit: The affiant recollects of helping weigh and brand a lot of hogs that A. R. Surgener bought of A. J. Roller in 1869 something from 80 to 100 and that there was a note executed by A. R. Surgener to A. J. Roller for what ever amount was due but affiant has no perfect knowledge as to the amount of said note, and that he never has named any thing about said transaction to S. H. Livsay until Nov. 23rd 1886.

James Potter

Sworn to and subscribed before me Nov. 24th 1886.

Jno. M. Sale J. P.

Alexander Rutherford also appeared before me and made oath to the following Statement that A. J. Roller at one time and while Surgener A. R. Lived on the Preston land wanted to buy my land and proposed letting me have a note on A. R. Surgener I wanted the Money for my land and told said Roller I would see A. R. Surgener and afterward did so said Surgener and he told me the note was just but he could not pay the money at that time and consequently Roller and I did not trade. affiant dont recollect the exact amount of said note but that it was a considerable amount and that I never told S. H. Livsay any thing about what I know until this Morning Nov. the 24th 1886.

A. E. Rutherford

Sworn to and subscribed before me This the 24th day of Nov. 1886.

Jno. M. Sale J. P.

William Lambert an other witness who appears before me and makes oath to the following Statement. Some time ago A. R. Surgener told me he owed A. J. Roller a note of Six hundred and some odd dollars. what give rise to my knowledge of this transaction, or A. R. Surgener owing the note, was about this, Some Eight or ten years ago, A. R. Surgeners and Wife was talking in my presence about a horse and Abe. Sais Nancy, you will talk so much about that horse, you will make Andy Roller mad at me, and I I owe him a note of over Six hundred dollars, and Andy will sue me if you dont stop your mouth, that Andy Roller was good to wait on him, and affiant further states he heard A. R. Surgener say at various times that Roller was good to wait on him and that Roller

did not need the money. I lived with A. R. Surgener for several years after this conversation took place, and if ever any payment was made on said note, I never heard of it, and A. R. Surgener was very intimate with me about his business, and I lived in sight of both A. R. Surgener and A. J. Roller for years, and from the knowledge I have of both the men, I don't believe that said note was ever paid off by said Surgener to Roller. and affiant further states he has known A. R. Surgener all his life and has been generally familiar with his business transactions and he never knew him to pay a debt when his note was out without lifting said note or taking a receipt therefor, and affiant further states that he communicated to S. H. Livsay what he knew about the matter at the last Federal Court held at Abingdon in this present month

his
William × Lambert
mark

Sworn to and subscribed before me this the 23rd day of Nov. 1886.

Jno. M. Tate J. P.

S. H. Livsay
Evidence
in
Revis
vs
Conrad et al

8 H & 22

William E. Burnes Exr. Pltff
vs.
James W. Dr. admr. &c Dfts } In Chy

$ 15.00 Recived of Myself & H. J. Morgan commissions in the above styled cause fifteen dollars the attorney fee for them in April 2 1887.

C. T. Duncan

121.50 We as comrs in the above cause have retained in our own hands the sum of one hundred and twenty one dollars and fifty cents. being 5 per cent on first $500.00 of sales, and 2 per cent on residue of sales of $3.25 Co. April 2nd 1887.

Henry J. Morgan
C. T. Duncan } Comrs.

79.22 Recived of C. T. Duncan & H. J. Morgan commissions in above styled cause fourteen dollars & 22 cts the fees due me as clerk therein, and Sixty five dollars. the amount due me as Comr. for taking and stating the accounts in said cause; both of which amount in the aggregate to the sum of $79.22.

April 2 1887.

J. A. G. Hyatt Clerk & Comr.

5.50 Recived of same commissions in same cause the sum of five dollars & 50 cts the fees due the sheriff therein. April 2 1887.

S. H. Ewing S. D.

$ 221.22

2 21.22

10.00 Received of the same commissioners in the same cause the sum of Ten dollars - - the fees due Editor of Virginia Herald for publishing Actions &c. in said cause, April 2 1887.

A. M. Brown

assignee of J. L. Duff Editor of Virginia Herald.

36.00 Received of the same Commissioners in the same cause the fees due us as commissioners for assigning dower and laying out lands into lots. the sum of thirty Six dollars $16.00 to Carmichael, $6.00 to McNeil $6.00 to Joslyn $4.00 to Jno Surgener & $4.00 to Wm Weston April 2 1887.

L. M. Carmical
H. C. Joslyn
A. C. McNeil
J. M. Surgener
W. B. Weston

6 58.50 Received of C. J. Duncan & myself as commissioners in the foregoing styled cause the sum of Six hundred and fifty eight dollars and fifty cents the amount in full of the balance due on my deed of trust mentioned in the proceedings in the said cause April 2 1887.

Henry J. Morgan

74.28 Received of C. T. Duncan & H. J. Morgan Commissioners in the foregoing styled cause the sum of Seventy four dollars and 28 cents to be credited on the claim due Mrs Mary Robinson from Sangamon estate April 2 1887.

A. L. Richmond atty for
Mary Robinson.

Wm. E. Burrows

vs. } Replevin for costs &c.

Jas W. Orr adm'r &c

No 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10

Circuit Court Clerk's Office.
Jonesville Va Aug. 10 1886.

Wm. E. Burns Executor &c Complainant
vs
James W. Orr Admr. A.R. Surgener dec'd et al Defendants } In Chy

To the Hon. John A. Kelly Judge of the circuit court for Lee County Virginia.

The undersigned was appointed a Special Commissioner by a decree entered in the above styled cause on the 30th March 1886, and therein directed: "After giving due notice of the time and place of his sitting, by publication in the Virginia Herald a News-paper published in the town of Jonesville, for at least two weeks and in such other manner as he may deem proper, to state and settle the account of James W. Orr Administrator of A. R. Surgener deceased, and ascertain the amount in his hands or that will come into his hands and be available for the payment of debts.

He will then convene the creditors of said A. R. Surgener and ascertain the entire indebtedness of said Estate and report the lands owned by said Surgener at the time of his death, the specific lens that exist thereon if any; and he will report any other

matter deemed pertinent by himself or required by any other party interested."

In obidience to the requirements of said Decree, I caused to be published in the Virginia Herald, the exhibit herewith filed marked Notice from the 22nd April 1886 for four consecutive weeks as is further evidenced by the printers affidavit thereto attached, and posted and had posted like copies of said notice at the most of the public places in Lee County and at a few public places in Lenn, which principally covers the territory in which A. R. Surgener usually transacted business and cried on his trade and trafic, which notice states that I would commence the investigations of the matters refered to me at my office in the town of Jonesville on the 17th day of May 1886, And on said 17th day of May 1886 at &c I entered upon the duties assigned me, but failed to complete the same by the 22nd May as I had expected.

on the amount received by him which Your Commissioner deems proper on account of the loose condition of the decedents business and on account of the pressing Judgments &c at the time of the death of said Surgener. I have also given him credit for vouchers from 1 to 3 inclusive, which were Judgments in hands of sheriff for collection on which were endorsed levies on cattle and horses of A.R. Surgener's at the time of his death, said Admr. having had enough of said property sold on the day of his sale for Cash in hand to meet said demands. and with credit for vouchers from 3 to 10 inclusive all of which are filed in his settlement Numbered as in the margin, the result of said statement shows the sum of $1731.30 as the amount as of October 1st 1886, which may be applied to the payment of debts of the decedent, proportionately, however, should his Estate not pay all his indebtedness, Of this sum as before stated $200. is for rents which is not

payable to said Administrator until the 1st. December 1886.

On convening the creditors I found some prefered liens, which I list and file herewith marked "P. M." the first of which is a Deed of Trust in favor of Henry J. Morgan, based upon a Judgment rendered in his favor on the 23rd day of November 1867, and further secured without prejudice to this prior lien by a deed of trust executed by said A. R. Burgemier to H. J. Morgan on the 20th day of December 1881, which deed embraces all the lands owned by said Burgemier at the time and those on which he then resided, which debt on the 1st October 1886 amounts to the sum of $643.50 and should be paid off and discharged in preference to all other debts, in the way and manner, which Judge Morgan may desire.

The 2nd in priority, is a bal of a Judgt & costs assigned by France Miles to A. L. Pridemore, amounting in the aggregate to $96.87; the 3rd the remnant of a Judgment in favor of Wm. B. Dickenson, amt $40.88 and the fourth, small bal. of Judgt in favor of H. C. Edmonson amt $8.03.

The fifth is a Deed of Trust executed by said Surgeiner to A. L. Pridemore for $3500.00 January 24th 1885 as the purchase price of a water Grist Mill the real Estate connected with it and on which it is located and a Steam Engine & fixtures, which operates as a lien on said Mill, land and Steam Engine and on all the Real Estate owned by said Surgeiner at the time, which claim amounts on the 1st October 1886 to the sum of $3853.50.

The 6th lien is one in favor of Mrs Mary Robinson for $400.00 as the last note of the purchase price of a certain tract or parcel of land sold by her to said A. R. Surgeiner in his lifetime, which on the 1st Octo. 1886 amounts to the sum of $458.00 which amount operates as a specific lien on the lands sold by her to said Surgeiner

The 7th is Two Notes executed by said A. R. Surgeiner with William Robinson and James Castle as his securities to James W. Orr Comr. in the Chancery Cause of Wm. H. Burns vs Wm Andre, for the rents of certain lands mentioned in said cause, on

which lands these notes are specific liens, amt of lien Octo 1st 1886 $154.56,

The aggregate amount of these prefered Claims amount to the sum of $5290.34

Special statement No. 1 attached on following general list of debts shows, that this sum $5290.34, is credited with the net sales of the Grist Mill $1468.20, Sale of a part of mill lot $25.00 with interest thereon from June 22nd to Octo. 1st 1886 and with net sale of Steam Engine $440.00 & Interest thereon from July 20th to Octo 1st 1886, sold by Comr. C. T. Duncan in the Chancery cause of A. L. Pridemore vs Jas. W. Orr & Wife et al, aggregating the sum of $1963.11 including interest to October 1st 1886 - -

Which I am informed by an agreement between the parties is to be turned over to A. L. Pridemore as a credit on his debt secured by deed of trust which if accepted by him would result in the following as to his Trust Debt

	Amount of Trust Debt Octoben 1st 1886	$3853.50
By "	Sales of Mill Engine & lot	1963.11
Bal: due Pridemore Trust debt Octo 1st 1886.		$1889.39

which will have to be satisfied from

the sales of the lands mentioned in said trust deed securing the same.

The general list of debts herewith filed marked L.D. is made up principally of Notes with a few accounts, and statements which are of various dates, amounts and characters, but all of equal dignity in point of liens against the Estate of A.R. Surgenner decd.

The claim therein listed marked

A "A" is a note executed by said A. R. Surgenner to H. J. Morgan on the 15th February 1885, bearing interest from January 1st 1885, for $29.35 which amounts on the 1st October 1886 to $32.43

Claim "B" represents a bal. due

B H. J. Morgan on Statement of business transactions between him and said Surgenner, as of Nov. 14th 1884 to the extent of $29.28, which on the 1st October amounts to the sum of $32.68.

Claim "C" is a note executed to

C Alpha Parrott Admrx by said A. R. Surgenner, who it appears signed Mrs Robinsons name thereto, which claim amounts on Oct 1st 1886 to $21.61.

Claim "D" is a bal. on a note given

(9)

to Dr. P. H. Allen & T. P. Barnes Admrs
D of Dr. Jas. S. Loyd, by said Surgenner
and A. L. Loyd, on the 27th Oct. 1876,
due twelve months after date for $100.25
Subject to several credits, and from
an actual calculation made by me
at the foot of affidavit, there appears
to be due on said note as of June
22nd 1880 date of last payment the
sum of $8.46, Interest added to Oct.
1st 1886, give the amt then due $11.64
the affidavit attached shows this
sum as remaining justly due.

E Claim "E" is a Note executed to Wm
P. Weston by A R Surgenner 18th Jany 1882,
for $100.00 amt due Oct. 1st 1886 $128.20
said note has attached the proper
affidavit of said Weston who is a son-
in law of said Surgenner.

F. Claim "F" is an account against
A. R. Surgenner in favor of Wm P. Weston
for $85.00 paid for said Surgenner
on his note held by N. S. Cox said
account is proven to be just by
the affidavit of N. S. Cox and
proven to be unpaid by the affidavit of
said Weston and amts Oct 1st 1886 to $103.02

G Claim "G" is a like account for cash
hand Surgenner in the field by said

Weston, and is proven in due form to be just by the evidence of L. H. Oakes and Wm Robinson affidavits attached, and to remain unpaid by said Weston and amounts on Octo. 1st 1886 to $112.05

H. Claim "H" is a note executed by A. R. Surgenner to Elizabeth G. C & Wm. H. Duff on the 9th day of June 1872, due 1st Octo. next thereafter for $966.33 1/3 subject to various credits, a calculation of which thereto attached made by me shows that on the 11th May 1875 there remained a bal. due on said note of $284.82 to which I add the interest to Octo. 1st 1886 and find the sum of $479.35 due on said note as of said date the affidavit of G. C. Duff as to the justness and bal due on said note accompanies said Claim

I Claim ("I") is two notes, one of $10.00 executed by said Surgenner to Wm McPherson and assigned by him to A. J. Litton the other is executed by said Surgenner to Litton Wood & Co, for $10.21, which notes and interest on the same to Octo 1st 1886 amount to the sum of $50.74, these notes are of long standing having been executed in the early part of 1861. but being proven

to be just and unpaid by the affidavit of A. J. Fitton and not controverted I have thought proper to allow the claim.

J. Debt "J" is a note executed by A. R. Surgenner & Alex. Nynn to Martin H. Sims, 28th Aug. 1884 due twelve months after date, for $13.60, which amounts Oct 1st 1886 to the sum of $14.49, and is proven to be unpaid by the evidence of S. H. Ewing an agent for said Sims who has had charge of the Collection of said debt.

K Claim "K" is the attested Copy of a note executed by A. R. Surgenner to J. W. Baker Decr. 18th 1883 for $175.00 with James W. Orr and M. D. Richmond as his security which amts Octo. 1st 1886 to the sum of $204.22 The affidavit of Mr. Baker is attached showing that said note is due and unpaid to him.

L Claim "L" is a small note executed by A. R. Surgenner to Wright Stickley May 25th 1884 for $11.23 due one day after date, which has said Stickleys affidavit attached and amounts on the 1st October 1886 to $12.81

M Claim (M) is a Statement of Notes paid by M. D. Richmond as security

Richmond accompany said statement in support thereof.

P Claim "P" is an account of $12.37 properly proven by the evidence of D. D. Hall & John S. Hall in favor of John S. Hall and assigned by him to J. A. S. Hyatt which amounts Octo. 1st 1886 to the sum of $13.23

Q Claim (Q) is a list of fee bill due J. A. S. Hyatt from the said A. R. Surgener, amounting in the aggregate to the sum of $56.97, supported by the affidavit of J. A. S. Hyatt and reference to the proceedings in Lee circuit Court.

R Claim "R" is a small account due the Lee County Sun amounting to $1.64 Octo. 1st 1886.

S Claim "S" is an account properly proven in favor of John D. Morgan amounting to $29.00 but several of the items are barred by limitation and had to be stricken out, which I regret very much, but such is the fate of clever men who let their accounts run too long before settling up, the aggregate of said account allowed is $11.10 as of October 1st 1886.

T Claim "T" is an account of $94.65

in favor of N. M. Thomas for lumber, property proven by the evidence of J. L. Vaiday and to be unpaid by N. M. Thomas which claim on 1st October amounts to the sum of $100.32

U Claim "U, is a list of fee bills due John R. Gibson County Court Clerk amounting in the aggregate to $11.28 -

V Claim V is a note executed by A. R. Surgener to A. L. Prudemore for 20$ and a small account due said Prudemore of $29.25, amounting in the aggregate Octo. 1st 1886 to $52.80

W Claim (W) is the Bal, due on a note executed by A. R. Surgener to N. S. Cox for $830.63 Octo 20th 1880 due Jany 1st 1882, subject to various Credits entered thereon and the Calculation attached shows a bal of $45.59 due May 1st 1884 time of last Credit, Interest added to Octo. 1st 1886 gives $52.20 due as of Octo. 1st 1886, the affidavit of Cox is taken showing this sum yet due on said note.

X Claim X is an account of $73.55 due James M. Moneyhun for horse feed rc by N. S. Cox for said Surgener

which account is assigned over by Moneyhun to said Bon, said Apt, is properly proven to be just & unpaid.

Y Claim "Y" is a note Executed by A. R. Surgenner to Wm. E. Burns in full of all demands for $100.00 Aug. 26th 1881, and now sought to be collected in this Cause by Wm E Burns Ex. of Wm H Burns deed, which sum is shown to be justly due by the evidence of C. T. Duncan and amounts on the 1st Octo. 1886 to $130.60

Z Claim "Z" is the amount which appears due C. T. Duncan on a statement of the business transaction between him and said Surgenner which statement in the opinion of your Comr. is properly made and shows the sum of $326.41 due as of 1st Octo 1886, said statement is properly sworn to by C. T. Duncan. which brings your Comr, to the last letter of the Alphabet, and I will now Commence Numbering claims by figures.

1 Claim (1) is a note executed by A. R. Surgenner and Frank Richmond as partners, trading under

(17) firm name of Richmond & Surgenner to Harvey Young for cattle. on the 11° Octo, 1884 due forty days after date, for $439.40 upon which note appears credits to the amount of $239.00 paid by F. Richmond, leaving a bal of $200.40 due, which when paid by Surgenner will close out the cattle transaction between Surgenner & Richmond as per statements of Frank Richmond said claim amounts Octo 1st 1886 to $222.74

2 Claim (2) is one half the bal. of a note executed by A.R. Surgenner and D.B. Baker to William Robinson for $540.00 15 March 1884 due twelve months after date, after credits one half the bal to be paid by Surgenner with Interest to October 1st 1886. is $172.37

3 Claim (3) is Bal. note executed by said Surgenner to Wm Robbinson which amounts to Octo 1st 1886 to $23.50

4 Claim (4) is a note executed by said Surgenner to Morrison & Duncan and turned over on settlement to H. A. Morrison, proven to be unpaid by R. T. Duncan and amounts October 1st 1886 to the sum of $13.30

5 Claim (5) is a note executed to Wm. N. McNiel by A. R. Surgenner and S. S. Surgenner, due March 26th 1876, for $150.77, subject to credits and by calculation there remains due on said note Nov. 29th 1876. $46.28, add interest to Oct. 18th 1886 $27.30 amt due $73.58 the affidavit of Dr. McNiel shows this sum due him as Admr of R. B. Dawalt Est.

6 Claim (6) is an account properly proven due Dr Wm. N. McNiel as of Sept 6th 1885 $29.79 amt due Oct. 1st 1886 $31.69

7 Claim (7) is a list of fee bills and statement of business transactions between A. R. Surgenner & Jas. M. Orr which shows due said Orr Oct. 1st 1886. properly proven the sum of $95.03

8 Claim (8) is a note executed by A. R. Surgenner to Isaah Potect Jany 24th 1866 due September following for 40$. which A. J. Roller claims and swears has been assigned to him for value received and also swears that the same remains unpaid, this note is of long standing, but was not contested and your Comr, could

not otherwise than consider it just from the note & evidence accompanying the same which amounts Octo 1st 1886 to $100.20

9 Claim (9) is an account for two small judgt. claimed to have been paid for A. R. Surgener by A. Edmonson amounting Octo 1st 1886 to $35.93 accompanied by the judgt. Receipts therein and affidavits.

11 Claim (11) is a note executed by A. R. Surgener to John Botner for $160.00 2 Octo 1884 with Jas. W. Orr & John E. Surgener as security, said note is subject to a credit of $75.00 paid Feby 19 1885 Bal due Octo 1st 1886 $97.28

10 Claim (10) is a ~~[illegible]~~ fee due W. C. Joslyn for taking Depo. $1.50

12 Claim (12) is an account properly proven to be due Jas. Pennington which amounts Octo 1st 1886 to $1.08

13 Claim (13) is a small account due S. H. Livasy out of Sage business transaction amt Octo 1 1886 $5.10 properly proven by affidavits

14 Claim (14) is an amount which is due R. S. Duncan and James W. Orr on account of the amount settled with Rogersville Bank as endorsers for A. R. Surgener,

which is properly proven by statement
14 & Exhibits filed therewith which
amounts October 1st 1886 to $276.46

15 Claim (15) is an account due
from A. R. Surgener to the firm
of Surgener Bales & Co. properly
proven which amounts after
giving all just credits to the
sum of $438.87 as of Octo 1st 1886.
Your Comr. examined the books
kept by said firm and compared
the account closely and
believes it to be correct.

16 Claim (16) is the amount of a note
executed by A. R. Surgener & A. Edmon
son as his security to L. D. Fulkerson
Curator of Chas. Daugherty dec'd
A. Edmonson shows that as said
security he paid off and discharged
said debt and the same is now
justly due him which amounts
October 1st 1886 to $79.87

(17) Claim (17) is a like claim or judgt
which has been obtaind against A.
Edmonson as security for A. R. Surgener
to Alpha Parrott Admx, which will
have to be paid by said Edmonson
and amounts in the aggregate Prin, Int
& Cost Octo 1st 1886 to - - - $122.10

(21) Claim (18) is a like Judgment which
Alpha Parrott Admx has obtained
18 against A. Edmonson & James
W. Orr as securities of A. R. Sur-
gener, since said Surgeners death
which has partly been paid by
Mr. Orr, and will all have to
be settled by them said Judgment
with costs & Int, amount Oct 1st 1886 to $522.54
19 Claim (19) is an account against
A. R. Surgeners Est, in favor of
David C. Hall which amounts
October 1st 1886 to $4.83, this
account is properly proven
as an amount bid off at
the sale of Catharine Dickensons
decd and embraced in a note
executed by said Hall and
Surgeners to the Admx H. L.
Joslyn which note has been
paid in full by said Hall.
20 Claim (20) is for two notes
of $44.17 Each executed by A. R.
Surgeners & Wm Robinson to
Chas E. Baylor, for this amt
on one Asa R. Fletcher it is
in proof that said Surgeners
received the Asa R. Fletcher
debt from Parkers, and that

20 William Robinson has paid off these two notes to Baylor and the amount thereof is justly due him from Surgeners Est amounting Octo. 1st 1886 to $98.64

21 Claim (21) is lost note due P. Hagan but due per Affidavit of A. L. Pridemore and amts Oct 1 1886. $51.12

22 Claim (22) is a note lifted by M D Richmond & James H. Orr as securities of A. R. Surgeener from A. L. Pridemore receiver &c which claim with interest as paid by them amounted on the 23rd Aug. 1886 to $1040.71, add, interest to Octo. 1st 1886 makes a total of claim & int. to that date the sum of $1047.11.

The grand total of this list amounts to the sum of $8519.33 as of October 1st 1886. but few of these debts have been questioned as to their justness, hence but little evidence has been necessary further than to prove them unpaid.

Special Stateiment No 1 has been explained.

Special Statement No 2 shows the sum of $3303.23 yet to be fully satisfied by the sale of lands or otherwise

also that the entire indebtedness this far reported amounts to the sum of $11822.56 less sales of Misc'd.

And that there is or will be in the hands of the Admr as of Oct 1st 1886, the sum of $1731.30 and the Estimated value of the remainder of the Real Estate owned by said A.R. Surgenner at the time of his death subject to the widows dower rights, which have been lavishly assigned is about $7000.00 which will give of assets the sum of $8731.30, less the indebtedness yet to be paid this sum $3091.26

And from this result it is evident the Entire Estate will have to be sold subject however to the widows dower rights, and not until the net proceeds arising therefrom is ascertained can we tell what per cent of the debts will be paid.

The Admr, might very properly pay out the fund in his hands on the preferred debts, Especially that of Judge Morgans and the bal on the small judgments leaving out Genl Pindemores

the greater portion of which is not yet due, I believe, the $1731.30 which is likely to be in the Admrs hands as of Octo. 1st 1886, will about discharge all the prefered liens except Genl. Pendmores, and if this course was pursued, the lands would be relieved and allowed to sell on time and would thus bring a greater price and all creditors ~~are~~ interested would certainly prefer this course to be taken.

A claim was presented by James M. Moneyhun, herewith filed marked (J. M. M.) which is a plain note executed by A. R. Surgenner to said James M. Moneyhun without any conditions on the 22nd June 1880 for $125.00. But Mr. Moneyhun attaches an affidavit that there are conditions connected with this note, which in his affidavit he fully sets out, and should said Moneyhun obtain the Judgt refered to against David F Burk Admr &c and assign the same over to Surgenner or his beneficiaries, then I suppose this

Claim would be a proper charge against said Surgeners' Estate and would October 1st 1886 amount to the sum of $172.06.

One other Claim has been presented by S. H. Levacy assignee of A. J. Roller, which is a note purporting to have been executed by A. R. Surgener and S. S. Surgener to said A. J. Roller the 3rd day of August 1859, due the 1st day of the next January following and said note is assigned over by said Roller without recourse on the 28th June 1886 to said S. H. Levacy.

Mr. Roller gives an affidavit as to the justness of this Claim and that the same, nor no part thereof has been paid him in any way.

But Mr. Orr Admr. of A. R. Surgener comes forward and questions the justness of this claim and cross examines on the affidavit made by said Roller, and on cross examination Mr. Roller seems to be very forgetful or at least cannot recollect, where the note was executed nor for what it was given

And Mr. Roller (as his deposition will show to which I here refer) seems to have a very indifinite recollection of many points connected with this note, which in the opinion of your Comr, are very material.

The Admr on an other day offered other proof on this matter among other things refered to the property books from 1859 down to the present which show that no amount of solvent bonds are given in by said Roller, on this point I. H. Levacy takes Mr. Rollers Depo. in which he states that he had owed an outstanding note all the time since 1863, executed to one Frank Bishop for $2700.00 - which had never been presented to him for payment & which he supposed is still outstanding against him, but Mr. Orr in controversion of this, presented the list of assetts of said Frank Bishop and the settlement of the Administration account of said Bishop and no where in said Administra

tion papers, is there any trace of such a claim against said Roller, and to said papers reference is here made -

This claim now or will Octo. 1st 1886, amount to $1647.41, and will have drawn at simple interest $1027.20 and has been at interest 26. years & 9 months. Why it has not been collected or settled before now is only imaginary And whether or not it should be allowed Your Comr. is not able to decide, so I most respectfully refer the matter to Your Honor,

The debt, affidavit, and depositions appraisment of personal property of Frank Bishop decd, the property books from 1857 to 1886, on file in the County Court Clerk's office, Page 165 Acts 1875-6 requiring bonds listed in order that they may be collectible, are respectfully refered to and filed herewith.

Should it be considered best to apportion the $1731.30 of personal Estate which will be in the Admrs, hands on the 1st October 1886 among all the Creditors, said $1731.30 will pay 17% + per cent of the entire indebtedness herein listed leaving

out Genl Pridemarks Deed of Trust Debt, Somer should he demand it the amount of his debt which is due should come into the apportionment

I am informed by James W. Orr the Admr of A. R. Surgemer, that he is now sued in the U. S Court at Abingdon as such Admr, of A. R. Surgemer by one Hubble and that a damage of $2000.00 is claimed which suit arises out of a Jack trade between said Hubble and A. R. Surgemer. The result of this suit is of course unknown, nor is it known how or when the same may be determined, Should there be a recovery to any extent, we can at once see that a confused state of affairs might arise.

I merely mention this so that, if thought proper, the way may be guarded to meet the result of said suit.

And now having performed the duties assigned me as best I could and reported as fully as I am advised is necessary, I respectfully submit the same hoping it may give the information desired, I will add however that nothing has been said about the costs attending this suit, which I presume will not be overlooked by the watchful eye of the Atty who has the management of the same.

Respectfully

J. A. S. Hyatt Com.

Wm E. Burns Ex
vs
Comrs. Report
A R Lawrence Est

Filed Aug. 1886
J. A. Stratton C.C.

Comrs fee $65.00

S. N. Leracy, accepts to this report because it cannot that allow the note assigned him by Andrew Reeder, see that bond. Aug. 28/86

A. R. Lawrence Executory

Wm. E. Burns Exor. &c. Pltff.
vs. } In Chy
Jas. W. Orr. admr. &c al Dfts.

To the Hon. N. S. S. Morison Judge of the Circuit Court of Lee County Virginia:

The undersigned commissioners appointed such by a decree in the above styled cause entered at the Nov. term of said court for the year 1886 and directed to sell the real estate of the late A. R. Sergeanner decd. and having performed that duty beg leave to submit the following report.

After having advertised the sale of said land fully extensively for the length of time required by said decree showing time terms and place of sale We proceeded to offer the same for sale at the front door of the court house on the 22 nd day of Feb. 1887. that being county court day, to the highest bidder at public auction with the results shown in the following part of this report.

In the first place we offered for sale lot No. 1 as shown on the plat filed in the cause containing by estimation 218 acres, when John McClure offered therefor the sum of $1860.00 and this was the highest & consequently the best bid offered for the same;

We in the second place offered for sale lot No. 2 which is estimated to contain 197 acres when James M Sergeanner offered therefor the sum of $1555.00 and this was the highest offer made therefor;

In the third place we offered for sale lot No. 3 which contains by estimation 144 1/2 acres when Wm. P. Weston offered therefor the sum of $600.00 and this was the best and highest price bid for the same;

In the fourth place we then offered for sale the reversion in the lot covered by the dower containing 202 acres when J. H. Jayne offered for said remainder or reversion in said dower lands the sum of $1500.00 & this was the highest offer made therefor:

And in the 5th and last place we offered for sale a little lot of land lying west of the branch known as the Debusk land, and thought to contain 24 acres, when David F. Busk offered therefor $100 and this was the best price bid for the same. And these offers thus made amount in the aggregate to $5625.00

We then offered for sale the said several lots as one entire tract but no one would offer therefor as much as had been offered us, in said several separate parcels, and hence we report that said John McClure James M. Surgener, Wm. P. Weston, Jas. H. Jayne and David F. Busk became the purchasers of said several lots as before stated at the prices respectively stated

Some of said lots brought fair if not full prices while others were rather low, but when the stringency of the times, and the scarcity of money is considered we are of opinion that the sales taken as a whole is a fair one and we earnestly recommend a confirmation of the sales of each of said lots to the parties named.

By the decree under which we are acting we were required to demand of said purchasers the sum of $1000.00 in the aggregate, and hence we apportioned that sum among said five purchasers according to the prices paid by them respectively, and the result thus reached is shown in the following tabular statement

The said John McClure part thereof is		$330.50
The " James M Sergeanner part thereof is		278.25
The " Wm. P. Weston " " "		106.50
The " Jas. H. Jaynes " " "		266.75
The " David F. Burks " " "		18.00
		1000.00

Now these parties have paid us these sums respectively so that we have in our hands One thousand dollars to be applied in the manner directed by the decree under which we are acting so soon as these sales are confirmed

When said sums are deducted respectively from the several purchase prices then we will see what each of said purchasers had to give bond with security for, and this is shown in the annexed statement

The said McClure his bond with security for		$1529.50
The " Sergeanner " " " " "		1285.75
The " Weston " " " " "		493.50
The " Jaynes " " " " "		1233.25
The " Burks " " " " "		82.00
		4625.00

Thus it is seen that after said $1000 - shall have been paid out on debts costs &c. there will still be left $4625.00 of the sales of said lands to be applied to debts.

The said purchasers have given their respective bonds for said sums respectively last stated, bearing interest from Feb. 22 1887. payable in equal annual installments in one two and three years. The said Mr. Blair with John Mr. Dowell as his surety. The said Jas E. Sangmeister with Mary R. Dinsmore & Joseph W. Marr his sureties. the said W.P. Weston with David F. Bush his surety. the said J.H. Jayne with S.B. Sangmeister & John A.G. Hyatt his sureties and said Bush with Wm. P. Weston his surety. And these sureties are regarded as ample and sufficient. And said Bonds are herewith filed marked A. B & C. D. & E.

Your Comrs would respectfully suggest the propriety should any one desire to put in an upset price for any of said land to require such party to deposite with his upset bid a sum equal to what such purchaser has already paid, and by doing so save the delay and confusion often attending matters of cost incident to such proceedings

All which is respectfully submitted

C. T. Duncan.
Henry J. Sangmeister } Comrs

Feb. 23rd 1887.

W. E. Burnes Exor &c

No 1.

vs. } Cont: Refusal of sale of land.

Jas W. Orr admr &c

Filed March 16 1887.

J. A. L. Hyatt c.c.

Dismissed April 1 1887.

Wm E. Burnes Exr. &c. Pltff
vs.
James W. Orr adm't. &c. Dfts } In Eq

55.00 Recd of C. T. Duncan & H. J. Morgan Comrs in the above Styled cause Fifty five dollars to be credited on claims allowed on by Com. Hyatt in said cause. April 9 1888
James W Orr

$55.00 Recd of C. T. Duncan & H. J. Morgan Comrs in the above cause the sum of Fifty five dollars to be credited on claims allowed on in the said cause by Com. Hyatt. Being part of my pro rata share of the funds in hands of Com.rs Duncan & Morgan April 9th 1888
M. D. Richmond

$135.00 Recd of Morgan & Duncan comrs as above stated the sum of One hundred and thirty dollars to be credited as last above named. April 25 1888.
M D Richmond

$125.00 Recd of Duncan & Morgan comrs as above stated the sum of One hundred and twenty five dollars to be credited as first above stated April 26 1888.
James W Orr

$115.00 Received of Duncan & Morgan Com.rs as above the sum of One Hundred and fifteen dollars to be credited on the claims due me from A R Burgunners estate July 6 1888
M D Richmond

$120.00

Recd of Duncan & Morgan Bonus as stated One Hundred and twenty dollars to be credited on claims due from A R Burgunners estate July 23 1888

James W Orr.

Wm E. Burnes Exor &c. Pltff
vs. } In Chy
James W. Orr adm. &c. Defts

To the Hon H. S. K. Morison Judge of the Circuit Court of Lee County Virginia:

Since filing our last report in this cause we have collected and disbursed. We have received the following sums and paid out the sums as shown in the following tabular Statement

B J. Duncans Order brought from former report			82 53
Cash of S S Dungenner April 3 1888			110 00
Cash of Wm Wolter April 25 "			115 00
Cash " John McClure " 25 "			140 00
Cash " Same June 5 "			235 00
			682 53
To cash paid J W. Orr April 9 1888	55 00		
" " " M D. Richmond " 9 "	55 00		
" " " Same " 25	135 00		
" " " Jas W. Orr " "	125 00		
" " " M D. Richmond July 6 1888	115 00		
" " " Jas W. Orr " 23 "	120 00	600 00	
Mr Duncans order still unadjusted in our hands the sum			82 53

From this Statement it is seen that since our last report we have received and paid out $600.00 leaving still in our hands unadjusted Mr Duncans order of $82.53 referred to in former report. And receipts for these disbursements are hereto attached

B J. Duncan } Comrs
H J. Morgan }

Aug 20 1888

Wm E. Barnes Exor
No.
vs } Comm. Refert. Dechensinger
$600—
Jas H Orr admr &c

Filed Augt 20th 1888.

A. G. Hyatt C.C.

Confirmed by Decree Sept 5 1888

Wm. E. Burns Exr &c Pltff.
versus- } In Chy.
James W. Orr Adm &c et al Defts }

To the Hon. H. S. K. Morrison
Judge of the Circuit Court for Lee County

Your undersigned Commissioner having been directed by a Decree entered in the above styled Cause on the 3rd Sept. 1887, to ascertain & report the net amount, after giving Credit for expense of Administration, Costs &c, in the hands of James W. Orr Adm. A. R. Surgener decd, for the payment of debts, and to whom the same should be paid, and also to ascertain & report the net amount of the sale of the Real Estate & Steam Engine, Mill &c, in the hands of Comrs. Morgan and Duncan or that will come into their hands and to whom the same should be paid, and by a decree entered in said Cause Decr. 9th 1887, I was directed to ascertain and report all and any other unpaid Judgments or parts of Judgments, not heretofore reported, rendered against A. R. Surgener in his life time &c &c.

In obedience to said directions I submit the following report,

As will be seen by the statement of the account of Jas. W. Arr Admr. of A. R. Surgenner deceased, herewith filed marked "Q. 2." I have charged said Administrator with $1731.30 the amount shown to be in his hands as per former statement in this cause marked "Q." as of October 1st 1886, and with interest thereon to Oct. 1st 1887, making in his hands as of October 1st 1887 the sum of $1835.17. during this year he paid out legal vouchers from 1 to 12 inclusive for which I have given him credit, and after allowing him 10% commission on $103.87 his receipts, there remained in his hands to be accounted for as of the 1st October 1887 the sum of $1520.93

Interest thereon to May 1st 1888	42.81
Amt of Inventory "B" & Interest " "	610.80
Making this sum —	$2174.54

Two thousand one hundred & seventy four Dollars & 54 cents in said Administrators hands or the amount which should be in his hands as of May 1st 1888,

As will be observed, I have given him Credit for $65.36 his Commission on his receipts and with vouchers from 13 to 23 inclusive, resulting in showing the Net sum of $1430.60 as the amount which is, or should be in the administrators hands for pro rata distribution to the Common creditors of A. R. Surgenner deceased, as of the 1st May 1888. A List of whom, showing the exact amount of Prin. & Interest due each one on the said 1st May 1888 is also herewith filed marked "New List of Debts" showing the entire amount of Common indebtedness of said A. R. Surgenner to be (including interest to May 1st 1888,) in the grand total the enormous sum of $9818.41 The amount $1430.60 in said Admr's hands as of May the 1st 1888, will pay 14½% of these debts, hence it follows that each Creditor is justly due from James H. Orr as such Admr, out of the fund in his hands 14½% of his or her debt as of May 1st 1888, and by reference to said list, said Admr, can easily

ascertain the just amount due and going from him to each Creditor, and pay to them accordingly.

And as may be seen by statement herewith filed marked "R. S." it will be seen that the net amount arising from the sales of Real Estate ~~to~~ remaining in Commissioners Morgan and Duncans hands including interest down to May 1st 1888, amounts to the sum of $3879.65. and that after taking out the sum of $1236.69 the Bal. shown to be due A. L. Pridemore on his Trust lien, there will remain in said Commissioners hands the sum of $2642.96 to be applied to the payment, so far as it goes, of the Common indebtedness, which amount will pay 26¾% of Each Creditors debt as shown to be due him or her in said new list of debts, leaving a few dollars to pay accumulated costs, to which reference is here made for the guidance of said Commissions in disbursing the fund in their hands or which will come into their hands from time to time as said purchase

(5)

money notes may fall due and payable.

All the Judgments and parts of Judgments rendered against E. R. Surgener in his life time are reported so far as I am advised or have any knowledge and credit given for the same either in the fund found in Administrators hands or in the Courts hands. Your Comr. thought best as is shown in the Statement of the Administr. account to give him credit for vouchers 19, 20 & 21, No 19 being the remnant of a Judgment against said Surgener in favor of John E. Starns only to cover a remnant of costs due to J. W. Arr late Clerk of Lee circuit court, No 20 being in like condition and No. 21 being a Judgment rendered in favor of W. M. & J. M. Moneyhun for C. L. Hamblen Admr of D. S. Dickenson decd and turned over by said Hamblen to his Successor as such Admr. T. S. Ely, reference is here made to Execution book page 169, Lee Circuit Court fi fa and affidavit with voucher as further evidence of this claim

which is very properly a charge on the Personal Estate, as fi fa had been in Sheriffs hands and levy made - on personal property of said A. R. Surgeners just a short time before his death.

Respectfully submitted

J. A. L. Hyatt Comm

1888 apr
Dorce & Could

The following is a list of the personal property belonging to the estate of Francis Bishop deceased and appraised by the undersigned Commissioners for that purpose appointed by the Worshipful County Court of Lee County:-

	$	cts
1 Brown 2 year old Colt	50	00
4 Calves @ $2.50, 2 Cows @ $12.00 each	34	00
3 Cows @ 12.00 each, 1 yearling 15/-	38	50
5 Sows 6.00 each, 2 pigs 6/- each	32	00
6 Shoats @ $2.00 each	12	00
1 two horse wagon 30.00, 1 Cart 15.00	45	00
1 old six horse wagon	20	00
1 Barshear plow 4.00 1 double tree 6/-	5	00
1 shovel plow and single tree	2	00
1 do 12/- 3 old shovel plows &c.	2	00
2 Clevices 6/- 1 Straw Cutter 9/-	2	50
1 lot old irons 12/- (4) weeding hoes for 6/-	3	00
1 set gearing for 2 horse wagon	10	00
1 lot flax 12/- 1 old Tub 1/-	2	25
1 Grind Stone 6/- 1 set Smith's Tools	41	00
1 Old Hand Saw 3/-		50
2 Sythes and Cradles 4.00 1 lot old irons 2.00	6	00
1 harrow tooth iron 2.00 1 Small Grindstone 1/6 1 moving spread 4/6	3	00
1 lot old Auger &c. 12/- 1 large Kettle 18/- 2 boxes Soap for $8.00	13	00
5 Cow Bells 3/- each, 6 beds & furniture $25.00 each	152	00
1 large barrel 9/- 1 old kettle 6/- 5 old boxes & barrels 12/-	4	50
2 Beef Hides for $3.00 1 Sheep & Calf skin 6/- 1 work bench 6/- 3 old bed steads 18/-	8	00
1 Cooking Stove $25.00, 1 Copper Kettle 15/- 1 piece Steel 3/-	28	00
1 safe 8.00, 1 table 2.00, 1 fire shovel 1/6 2 pr weaving gears 6/-	11	25
5 Slays 3/- 1 loom 6.00 1 smoothing iron 3/- 2 water pails for 6/-	10	00
2 Keelers for 6/- 3 Salt Barrels for 4/6 1 cross cut Saw 12/-	3	75
1 Dining Table 4.00 1 little wheel 9/- 1 old side saddle 4.00	9	50
1 pr Steelyards 6/- 1 Crout tub 6/- 1 large wheel 9/-	3	50

Amount Carried Forward

Amount Brought Forward.

1 Clock 5.00, 1 Bureau 8.00, 1 small table 6/- 1 Churn 6/-	15	00
1 looking glass 9/- 6 Chairs for 2.00 9 Chairs 1/6 each, 1 Candle stand 9/-	7	25
1 Reel 6/-, 1 small Bed stud 6/-, 4 window Curtains for 1.33⅓	3	33⅓
40 lbs Wool Rolls 3/-, 1 Coffee Mill 2/6, 19 head of Sheep 6/-	39	37½
1 Tin Bucket 3/-, 2 Books for 9/-, 1½ bunch yarn 9/-	3	50
1 Barrel Horse $25.00, 4 old axes for 2.00	27	00
1 negro girl 22 years old 1000.00, 1 negro child 3 years old 300.00	1300	00
1 note of hand executed for 500.00 by Jas. G. Browning due March 1st 1867, bearing interest from the 1st day of March 1863	500	00
1 do on same for 500.00 due the first day of March 1866 bearing interest from the 1st day of March 1863, subject to a credit of 100.00 1st Sept 1863	500	00
1 note on Sterling Coleman for 100.00 due Jany 1st 1864	100	00
1 " of hand on James Bowling for 275.00 due Jany 1st 1864	275	00
1 " " " " Same " 42.42 " June 23d 1858	42	42
subject to a credit of 1.65 June 22d 1858 $ 1.65		
Total Amount $		

Pursuant to an order of your Worships we, the undersigned Commissioners, having been appointed for the purpose of appraising the personal property belonging to the estate of Francis Bishop deceased, met pursuant to said order on the 4th inst and appraised the same. All of which we submit respectfully to your Worships.

Alexander Wynn
Wm D. Martin } Appraisers.
Lewis Smith

Virginia

In the Clerk's Office of the County Court of Lee County, the 8th day of December 1865. The foregoing appraisement of the personal property of Francis Bishop deceased was this day admitted to record. Teste - Henry J. Morgan Clerk.

A copy -

Teste - Henry J. Morgan Clerk.

Francis Bishop Decd

Copy of Appraisement of Personal Property.

Fee for Copy is 75

No 198

The Commonwealth of Virginia.

To any Justice of the Peace, Notary Public or Commissioner appointed by the Governor of said State, resident in the State of Tenn *authorized to take Depositions in the County of* Union *State of* Tenn —GREETING:

Know ye that we, trusting to your fidelity and provident circumspection, do require you, that at such time and place as you shall appoint, to call and cause to come before you Mat Bishop

Witness on behalf of S. H. Livacy assignee

in a certain Chancery suit pending in the circuit Court of Lee County between said S. H. Livacy Plaintiff and James W. ~~Blair~~ Adams Defendant, and him diligently examine, touching the same in solemn form on oath or affirmation, and having received examination as aforesaid, that you distinctly, plainly, and without delay certify, sign, and send the same enclosed into our said Court together with this Writ. Witness, J. A. G. Hyatt Clerk of our said Court, at the Court House, this the 20th day of May 1887, in the 111 year of the Commonwealth. J. A. G. Hyatt, Clerk.

I do solemnly swear that Mat Bishop whose name is mentioned as witness in the commission above is a non-resident of the State of Virginia, so help me God.

S. H. Livacy

Sworn to before me this 20th day of May 1887 J. A. G. Hyatt, Clerk.

D. H. Livingston

vs } Commission

J. W. Orr Admr

Clks Fee 50c

Affi 25

75c

State of Tennessee } To any Lawful officer of
Campbell County } Said County to Execute
and Return Summons M. W. Bishop
to appear before J. M. Wilson Esq
at his Store House in Union County
Tenn on the 24th of this Inst to give
Evidence by Deposition in a Suit
now pending in the Chancery court
of Lee County State of Virginia
wherein S. H. Livacy assignee &c
is complainent and Jas. W. Orr
adm &c Defendant in behalf of
Complainent Herein fail not
under the lawful penalties
this May 23 1887 H. L. Ridenour
J. P.

Subpoen
S. H Livacy assignee
vs
J. W. Orr admr
iss May 23 1887
D. L. Kidemour J. P.
came to hand same
day Dsrd
Executed by
Summoning
W. W. Bishop to
appear before J. M
Spillson on the 24th
day of May 1887

C. W. Irvin
D. Sheriff

S. H. Levan assignee &c

AGAINST

James W. Adm of A R Sargent &c

To J W Orr administrator &c

Take notice that on the 24 day of May, 1887, at Mat Bishops, in Union County, State of Tenn I will proceed to take the deposition of Mat Bishop to be read as evidence on behalf of S. H. Levan assignee &c in a certain suit in chancery now pending in the Circuit Court of Lee County, State of Va, wherein S. H. Levan assignee &c Plaintiff and J. W. W. M. Adam &c Defendant. And if from any cause the taking of said deposition be not begun on that day, or being begun not completed, the same will be continued from day to day or from time to time, and, if desired from place to place, until the same are complete. You may attend and cross-examine if you wish.

May 20th, 188

Very Respectfully,

S. H. Levan

50
2-51

S H Levany assignee
vs
J W Ondlac et al

Executed by delivering a true copy of this notice to James W. Orr Adm of A. R. Surgeon deceased May 20th 1887

S H Levany deputy
for R. D. Slaman
S L C

To S. K. Lenacy.

You will please take notice that on the 25th day of May 1887, at the law office of Richmond & Orr in Jonesville Va. I will proceed to take the depositions of M. D. Richmond & others to be read in my behalf in a certain matter of controversy now pending in the circuit court of Lee County Va. in which you are plaintiff and I am defendant.

May 24th 1887.

James H Orr. Admr.
of A. R. Surgener decd.

Jas W. Orr Admr.
vs } Notice.
S. H. Lenasy.

Executed in full by delivering a true copy of the within Notice May 26 1887
S. Lewis S.H.
Fee $1.00

Decrees from 1 to 12

Mrs. Adams
for the Court
to J. M. Whelan
Night, At Home
J. Hunnewell

W. E. Burns Exor &c. Pltff
vs. } In Chy.
Jas. W. Orr admr. &c. Defts

To the Hon. H. S. K. Morison Judge of the Circuit Court of Lee County Virginia:

After having given due and timely notice that we would do so the undersigned commissioners on the 17th day of May 1887. again offered for sale on the terms prescribed by a decree in the cause of the 1st day of April 1887. the lot of land hereto fore bid off by John McClure, known in the cause as lot No. 1 containing 218 acres

We offered said lot of land at an upset price of $2160.00 and used our best effort to procure a higher and better bid therefor. but did not succeed. as no one present would make a bid thereon above the upset price And this being the fact. We have to report that the said John McClure who had offered that sum in open court for the same became the purchaser of said lot No 1 at said price of $2160.00

By our report filed in this cause March the 16. 1887. We then gave the fact. that we had demanded and received the sum of $1000.00 on the sales of these lands. made on the 22 day of February 1887. and having since that time paid out said sum of Money in paying the costs of the suit & the Morgan deed of trust, and in making a payment on the Mary Robison purchase money

him, we desire now to show how we have disposed of that sum of Money & to file receipts showing its disbursement. And in doing this we charge ourselves with the Money so received and take credit for the sums paid out as shown in the following table.

	To Cash received of David F. Beck.		18 00
	" Cash " " Wm. P. Weston.		106 50
	" Cash " " James H. Jayne		266 75
	" Cash " " Jas. M. Sprugeonner		278 25
	" Cash " " John McClure		330 50
	Total Sum received		1000 00
1	By this paid C. T. Duncan atty fee	15 00	
2	" 5 per cent retained on first $300 of returned	15 00	
3	" 2 " " " on $5325.00 the residue of sale	106 50	
4	" this sum paid Hyatt clerks fee	14 22	
5	" " " " Hyatt as Comr. fee	65 00	
6	" " " " S. H. Ewing Sheriffs fee	5 50	
7	" " " " Printers fees	10 00	
8	" " " " Comrs fees. dividing land into lots	36 00	
9	" " " " H. J. Morgan Deed trust	658 50	
10	" " " " Mary Robinson	74 28	$1000.00

Thus it is seen that we have collected said sum, and have fully accounted for the same as is shown by the receipts herewith filed numbered as in the margin.

Respectfully submitted

C. T. Duncan
Henry J. Morgan } Comrs

May 23rd 1887.

W. E. Burnes Exr &c.

vs } Cont. Refect No. 2 &c sale &c.

James W. Orr. adm. &c

Filed. June the 1st 1887.

J. A. L. Hyatt Cl

Confirmed by Decree of Augt 20 1887.

W. E. Barnes Exr. &c. Pltff
vs.
Jas. W. Orr admr. &c. Defts
} In Chy.

Recd of C. T. Duncan & J. Morgan Comrs in the above styled cause the sum of One hundred and Seventy five dollars to be credited on the claim of Mary Robinson for the purchase money on land sold by her to A. R. Sanguinet decd. & for which she has a decree against J. W. Orr as admr. of the estate of said Sanguinet Sept. 30 1887.

A. L. Pridemore atty for
Mrs Mary Robinson

Recd. of the same Comrs. in the same cause the further sum of Twenty Seven dollars & 65 the balance in full of the principal interest and cost of the chancery suit brought to enforce the payment of the purchase money lien above referred to
Sept 30 1887.

A. L. Pridemore atty for
Mrs Mary Robinson

175 00
27 65
202 65

A. L. Pridemore for
Mary Robinson

To } 2 Receipts $202.65

Duncan & Morgan Bank

No 2

Wm. E. Burnes Exor. Pltff
vs. } In Eqy
Jas. W. Orr admr. &c Defts

Recd. of C. J. Duncan & H. J. Morgan Comrs in this cause Two Hundred and twelve dollars to be credited on Mary Robinsons debt against A. R. Surgenners estate for the land conveyed by her dower sold by Wm. Robinson to said Surgenner Sept 23rd 1887.

A. L. Pridemore atty for Mary Robinson

A. L. Pridiman for
Mary Robinson

To } Receipt $2.12

Duncan & Morgan Cases

No 1

W. E. Burns Exr &c. Pltff
vs. } In Chy.
James W. Orr adm. &c. Defts

To the Hon H. S. R. Morison Judge of the Circuit Court of Lee County Virginia:

The undersigned Special Commissioners in this cause beg leave to submit the following report.

Since your Honors last Court Jas H. Jayne one of the purchasers of the land sold in this cause, on the 20th day of Sept 1887 paid us on his note $212.00 and on the 18th of Oct he paid us the further sum of $110.00 and on the 30th day of Sept. 1887. James M. Surgener another purchaser of said land paid us on his purchase money note the sum of $365.00 making an aggregate sum received by us since the last term of $687.00

Mary Robinson held a purchase money lien on said land and had brought suit to enforce that lien & her claim had been allowed and reported by Comr. Wyatt & it was conceded by all parties that her claim had to be paid in full and that her lien was of the first dignity We therefore paid her claim in full and in doing so we paid Geo. Pridemore her attorney on the 20th day of Sept the sum of $212.50 See receipt herewith filed marked No. 1. and on the 30th day of Sept 1887. We paid him the further sum of $202.65 as shown which pays in full Mrs Robinsons debt principal interest & cost, by his receipts herewith filed marked No. 2. And thus it is seen that we now have in our hands the sum of $272.35 to be paid out on claims as your Honor may see proper to direct as is shown in the annexed table

1887.	Sept	20.	To cash of J H Jayne on his note for land	$212.00
"	Oct	18	" " Same " " " " "	110.00
"	Sept	30	" " James M. Bergenner on his land note	365.00
				$687.00
"	Sept	20	By this sum paid Mary Robinson (Predecessor) $212.00	
"	"	30	By this sum paid Same Balfor land (") 202.65	$414.65
			Balance in our hands for disbursement	$272.35

We suggest that a decree be now entered in this cause directing to whom and how to pay out said fund, and the other money which we may receive as it falls due

Respectfully submitted

C T. Duncan
H J. Morgan } Special Comrs.

Nov 1 st 1887

Wm. E. Burnes Exr &c.

vs. } Bonds 3rd. Report

James W. Orr admr &c.

Filed Nov. 1 1887.

J. A. G. Wyatt C. C.

Wm. E. Burnes Exr. &c. Pltff
vs. } In Chy
James W. Orr adm. &c. Defts

$100.19 Received of C.T. Duncan & H.J. Morgan Comrs in the above styled cause One hundred dollars and ninetean cents payment in full for One of the preferred liens reported in said cause in favor of France Miles vs. A.R. Sergeanner with additional interest to date. Feb 1 - 1888.

A.L. Pridemore Assignee
of France Miles.

$48.76 Received of Myself & H.J. Morgan Comrs as above Forty Eight dollars & 76 cents payment in full for the balance of a judgment in favor of the late W.B. Dickinson vs. A.R. Sergeanner and reported as a preferred lien in said cause. Feb 1 - 1888

C.T. Duncan Attorney
for Wm. B. Dickinson

$8.51 Received of Myself & H.J. Morgan Comrs in the above cause Eight dollars & 51 cents the balance on a judgment in favor of F.C. Edmonson vs A.R. Sergeanner and reported in said cause as a preferred lien Feb 1 - 1888

C.T. Duncan Attorney for
Fannie C. Edmonson

$795.00 Recived of Morgan & Duncan cont. in the foregoing cause the sum of Seven hundred and ninety five dollars on my claim against AR Surgeners estate. Feb. 22 1888.

A. L. Pridemore

Wm E. Burns Exr vs. Pltff

vs.

James W. Ow—— et al Defts

To the Hon. S. S. R. Morison Judge of the Circuit Court of Lee County Ala

By our last report of collections and disbursements filed in this cause the 1887 we there show that at that time there was left in our hands the sum of $272.35 to be taken up and accounted for in our next report. And since the date of that report we have received the the following sums. to wit of S.S. Sengenner Nov. 22 1887 the sum of $120.00 of John McClure Dec. 5 1887 $150.00. Of same Feb. 7 at 1888. $163.62 of Same on same day $156.38. Of same in an order of C.J. Duncan on same day of $82.54 and of Jas M Sengenner $90.00. Making in the aggregate the sum of $1034.89

We have paid out since our last report $952.46 which leaves in our hands Mr Duncans order of $82.43. to be hereafter accounted for. And all this is shown in the following tabular Statement.

Cash in our hands at date of last report		$272.35
Cash of S.S. Sengenner Nov. 2 1887.		120.00
Cash of John McClure Dec. 5 1887.		150.00
Cash of Same Feb 7 1888.		163.62
Cash of Same " " "		156.38
Mr C.J. Duncans order to McClure		82.54
Cash of James M Sengenner Feb 8 1888.		90.00
		$1034.89
By amt F. Miles Judgt to A.L. Pridemore	$100.19	
" " paid Bal W.B. Dickenson Judgt.	48.76	
" " " Fanny Edmondson Judgt.	8.51	
" " " A.L. Pridemore on his dud trust Lien	795.01	952.46
Bal in our hands.		$82.43

Receipts for the several sums here credited are hereto attached And in our next report we will take up and dispose of said $82 53.

We have now paid off all the specific and preferred liens heretofore reported as such, except a balance due Genl Poindexter on his Will debt. and recently Maj Hyatt as Cont. has asserted another lien in favor of Thomas S Ely admr. of D.S. Dickinson against said Sergeanners estate amounting to a considerable sum All which is respectfully submitted

C T. Duncan
H J. Morgan } Comrs.
March 20. 1888

Wm E. Burns Exr &c.

No 4

vs } Cont. Refusal of Disbursements

James W. Orr admr &c

Filed March 20 1888

J. B. Hyatt C C

Confirmed April 4 1888.

Wm E. Barnes Exor &c. Pltff
vs. } In Chy.
James W. Orr admr. &c. Defts

99. 73 Received of C.T. Duncan & A J Morgan Comrs in the above styled cause the sum of Ninety nine dollars and 73 cents being 27 per cent on the three claims allowed me in said cause Feb 15 1889.

W. T. Welton

7 56 Recd of Duncan & Morgan Comrs as above Seven dollars & 56 cents being 27 per cent on a claim due me in said cause Feb 23 1889.

A. L. Pridemore

42 76
1 42
44.18 Recd of Duncan & Morgan Comrs as above Forty four dollars and Eighteen cents, being 27 per cent on three claims against Dougherty's estate one in favor of N S. Cox one in favor of said Cox as assignee of Mangham & one in favor of D.C. Hall Feb. 28 1889.

N. S. Cox

35 64 Received of Duncan & Morgan Comrs as above the sum of ~~Eighty six~~ Thirty five dollars and 64 cts the same being 27 per cent on ~~three~~ Two claims allowed me in said cause March 5 1889. William Robinson

$100 00 Received of Duncan & Morgan Comrs as before stated the sum of One Hundred dollars & twenty cents on claims due me in said cause from A R Surgeons estate March 6 1889.

M D Richmond

12 88 Recd of Duncan & Morgan Comrs the sum of Twelve dollars and eight cents. being 27 per cent on two small claims due me from A R Surgeons estate March 6th. 1889.

Henry C. Joslyn

94 50 Received of myself & J Morgan Comrs in said cause the sum of Ninety four dollars and 50 cts being 27 per cent on a a claim due from the estate of A R Surgeons decd. March 7 1889

C. T. Duncan

37 80 Recd of myself & J Morgan Comrs in said cause the sum of Thirty Seven dollars and 80 cts being 27 per cent on the claim allowed W E Burns as exr in said cause Mar 7 1889

C. T. Duncan atty
for Wm E Burns.

118 31 Recd of Duncan & Morgan Comrs in said cause the sum of One Hundred and Eighteen dollars and 31 cents on the claims allowed me & J W Orr against A R Surgeons estate March 11 1889.

M D Richmond

19. 05 Recd of Judge B.J. Duncan & Myself as Barns in said cause the sum of Nineteen dollars and 5 cents. the same being 27 per cent on two claims allowed me in said cause

Henry J Morgan
March 10 1889.

6 35 Recd of Judge B.J. Duncan & Myself as Barns in said Cause the sum of Six dollars & 35 cts being 27 per cent on a claim allowed Alpha Parrott in said cause Mar 20 1889.

Henry J Morgan atty for
Alpha Parrott.

$100.00 Recd of Duncan & Morgan Barns in said cause the sum of One Hundred dollars on account of claims allowed us. jointly in said cause March 25 1889.

($50.00 each)

M D Richmond
James W Orr.

3. 89 Recd of Duncan & Morgan Barns in said Cause the sum of Three dollars and 89 cents being 27 per cent on a claim allowed me in said cause March 1889.

J. A. G. Hyatt

3 26 Recd of Duncan & Morgan Barns in said cause the sum of Three dollars & 26 cents the same being 27 per cent on a claim allowed me in said cause March 26 1889.

Check sent for same

John D Morgan by H J Morgan

Received of Duncan & Morgan Barns in said cause the further sum of Two hundred and fifty dollars on the claim allowed us jointly in said cause March 29th 1889.

($125.00 each)

M. D. Richmond
J. W. Orr
Dr W. E. Orr.

Rec'd of Duncan & Morgan Barns in said cause the sum of Forty nine dollars and 14 cents being 27 per cent on a claim allowed me in said cause, March 29 1889

John Moneyhan

Rec'd of Duncan & Morgan Barnes in said cause the sum of Fifty nine dollars and 62 cents being 27 per cent on a claim allowed John Baker in said cause and the same was paid said Baker by us as the sureties of said A R Sengumner March 30 1889.

($29.81 each)

M D Richmond
James W Orr

Rec'd of Duncan & Morgan Barns in said cause the sum of Twenty eight dollars and 35 cts being 27 per cent on a claim allowed John Bateer in said cause and the same was paid by me as A R Sengumners Security March 30 1889.

James W Orr.

Rec'd of Duncan & Morgan Barns in said cause Thirty one cents being 27 per cent on a claim allowed me therein Mar 30 1889.

Jas. his x mark Pennington

81.97 Recd of Duncan & Morgan Comrs in said cause the Sum of Eighty One dollars and 97 cents being 27 per cent on a claim allowed us in said cause March 30 1889

Duncan & Orr.
By James W Orr

Recd of Myself & H J Morgan Comrs in said Cause four dollars & 20 cts being 27 per cent on a claim allowed Martin W Sims in said cause March 30 1889.

C. T. Duncan
Atty

Recd of Duncan & Morgan Comrs in said cause the sum of Thirty dollars & 24 cents being 27 per cent on two claims allowed me in said cause March 30 1889.

W. H. McNeil
pr. J. S. McNeil.

Recd of Morgan & Duncan Comrs in said cause the Sum of One Hundred and Thirty Six dollars and 72 cts being 27 per cent on a claim allowed G C & W C Duff in said cause April 1 1889. G. C. & Wm P. Duff

Recd of Duncan & Morgan Comrs in said cause three dollars and 35 cts being 27 per cent allowed me in said cause April 1st 1889.

P. H. Allen
by G. C. Duff

Recd of Duncan & Morgan Comrs as above Fourteen dollars & 21 cts being 27 per cent on a claim allowed me in said cause April 1st 1889

A. J. Litton
by G. C. Duff

$3.78 Recd of Duncan & Morgan Bonds in said Cause the Sum of Three dollars 78 cts being 27 per cent on a claim allowed me in said cause April 1 1889.

H L K Moines

Recd of Duncan & Morgan Bonds in said cause the Sum of Fifty nine dollars on my claim allowed me in said cause April 1 1889.

Harvey Young

Wm E. Barnes Exr. &c. Pltff
vs. } In Chy
James N. Orr admr. &c. &c. Dfts

To the Hon H. S. K. Morison Judge of the Circuit Court of Lee County Virginia;

Since filing our last report of receipts and disbursements, the purchasers of the lands sold in this cause have been paying us money on their said purchases, and we have been paying it out to creditors of A R Sorgenner dec'd at the rate of 27 cents on the dollar and on all small sums as far as we have gone we have paid in full and our receipts and disbursements down to the present time is shown in the following tabular statement:

		Receipts	
		Judge Duncans brought over from last report as cash	82 53
1888 Dec. 3		Cash of J M Sorgenner on his note for land	125 00
1889 Jan	8	" " Same " " " " "	40 00
" "	8	" " John McClure " " " " "	252 75
" Feb	4	" " J H. Jayne " " " " "	200 00
" "	4	" " J M Sorgenner " " " " "	125 00
" "	15	Cash on W P. Weston " " " " "	159 73
" Mar	5	Cash on of John McClure " " " " "	200 00
" "	5	Robinson claim on J M Sorgenner " " " " "	35 64
" "	29	Cash of S S. Sorgenner on his and J H Jaynes note	250 00
			$1170 65
		Disbursements	
		To amt pd H J Morgan his claim in full	19 05
		" " " Alpha Parrott her claim in full	6 35
		" " " W P Weston his " " "	99 73
		" " " M D Richmond " " " "	100 20
		" " " Same on his & Orr's claim	118 31
		" " " Richmond & Orr on their claim	100 00
		Carried forward - - - .	443.64

Receipts brought Forward		1470.65
Disbursements brought Forward	443 64	
To amt paid A.L. Pickerson in full	6 56	
" " " W E Barnes Ex in full	37 80	
" " " C T. Duncan " "	94 50	
" " " N S Cox 3 claims in full	44 18	
" " " Wm M Robinson 2 claims in full	35 04	
" " " H C Joslyn 2 claims in full	12 08	
" " " Jno A G. Hyatt " " "	3 89	
" " " John D Morgan " " "	3 26	
" " " Richmond & Orr on their claim	250 00	
" " " J M Monyham his claim in full	49 14	
" " " J W Baker claim in full	59 62	
" " " John Botner " " "	28 35	
" " " Andrew Edmanson 3 claims in full	69 52	
" " " Jas Pennington his claim in full	34	
" " " Duncan & Orr their claim	81 97	
" " " Martin W Sims his "	4 24	
" " " W N. McNeal " 2 claims	30 24	
" " " G C & W P. Duff " full	136 72	
" " " P H. Allen in "	3 35	
" " " A J. Letton " "	14 21	
" " " W L K Morison " "	3 78	
" " " Harvey Young on his claim	59 60	
By this sum overpaid in this report to Square		91
This years account Squared thus - -	1471 56	1471 56

From this Statement of our Commons account it will be seen that we have received $1470.65 and have paid out

the sum of $1471.56 so that we have paid out 91 cents more than we have received, and to this report will be found receipts for all the money paid out by us.

The purchasers John McBlum, James M. Sengamer, Jas H. Jayne & S.S. Sengamer and Wm P Weston having fully well paid two thirds of the purchase price of the land bought by them respectively We can see no good reason why their respective parcels of land might not be conveyed to them respectively by securing the Vendors lien in each

Respectfully submitted

C T. Duncan

Henry J Morgan

April 2 1889.

Wm. E. Barnes Exr &c

vs } Barnes Report of R. & D.

James H Orr admr &c

Filed April 2 1889.

Confirmed by Decree of
April 3 1889.

Wm E. Burns Exr &c. Pltff

vs. } In Eqty.

Jas H Orr admr. &c Dfts

To the Hon H. S. K. Morison Judge of the Circuit Court of Lee County Virginia:

As directed by your decree entered in the above styled cause on the 2 day of Septr. 1890 I have made executed & acknowledged for records deeds of conveyance with covenants of special warranty as follows to wit

First. I have conveyed to James H. Jayne the lot of land owned by the dower of Nancy Sergeant and subject thereto containing 202 acres more or less:

Secondly I have conveyed to John McClure the lot of land bought by him containing 218 acres more or less being lot No. 1.

Third I have conveyed to Jas E Sergeant lot No. 2 containing 197 acres more or less.

[redacted] conveyed to Wm P. Weston lot No. 3 containing 144 1/2 acres more or less. and all by the metes and bounds as set out by commissioners who partitioned the same, And

Fifth I have conveyed to N. M. Thomas lot No 4 and the two other pieces of land sold therewith aggregating 24 acres. and these several deeds are herewith submitted for your inspection

All which is respectfully submitted

Henry J. Morgan Comr.

Sept 3rd 1890

William E. Burns Exor

vs } Bill Ref at off 5 Deeds

James H. Orr adm. & others

Filed Sept 30th 1890

J. A. G. Hyatt C

Wm. E. Barnes Exor &c. Pltff
vs.
Jas. W. Orr admr &c. Deft } In Eqy

+ $115.83.

Received of Duncan & Morgan Coms. in said cause H. J. Morgans check on Powells Valley Bank for One Hundred and fifteen dollars and 83 cents being 27 per cent of a judgment in favor of L. F. Hubble vs. A. R. Surgeners estate. Feb 28th 1890

J. H. Wood atty for
L. F. Hubble

Wm E. Burnes Exr &c. Pltff
vs. } In Chy
Jas W. Orr admr. &c. Defts

+ $170.00 Recd of L T. Duncan & H J Morgan Comrs in said cause the sum of One Hundred and Seventy dollars to be credited on my claim against A R Sungenuus estate on account of my Mill sale to him July 6 1889.

A. L. Pridemore

+ $341.00 Recd of Duncan & Morgan Comrs as above the further sum of Three Hundred and forty one dollars to be credited on the claim above specified. Dec. 13 1889.

A. L. Pridemore

+ $110.00 Received of Duncan & Morgan Commissioners as above the further sum of One Hundred and Ten dollars to be credited on the claim above specified January 9 1890.

A. L. Pridemore

+ $28.51 Recd of Duncan & Morgan Comrs as above Twenty Eight dollars and 51 cents on the claim allowed me in the above styled cause Feb. 4 1890.

N. M. Thomas

+ $706.25 Received of Duncan & Morgan Comrs as above the sum of Seven Hundred and Six dollars and 25 cents on the debt due me from A R. Sungenuus estate. Feb. 6 1890.

A. L. Pridemore

+ $32 Recd of Duncan & Morgan Bankers in said cause the sum of Thirty two dollars the balance in full of the claim allowed me in said cause Feb 22 1890.

A. L. Pridemore

+ $185.74 Recd of Duncan & Morgan Bankers in said cause the sum of One Hundred and Eighty five dollars and 74 cents the bal. of 27 per cent on the dollar of the claim allowed the subscribers jointly against A R Burgemmes estate. Feb 24 1890.

M. D. Richmond
James W Orr.

$8.91

+ $8.91 Recd of Duncan & Morgan Bankers as above Eight dollars & 91 cents being 27 per cent on A J McCurrys claim against A R Burgemmes estate Feb 24 1890.

James W Orr, assignee
of A. J. McCurry.

+ $ 48 Recd of Duncan & Morgan Bankers as above the sum of Forty Eight cents the amt I am entitled to out of the sale of A R Burgemmes Est. Feb 27 1890

A. M. Goines.

+ $15.01 Received of Duncan & Morgan Bankers as above the sum of Fifteen dollars & one cent, being 27 per cent on a claim due Patrick Hagan from the estate of A R. Burgemmes decd. March 1 1890.

A. L. Pridemore
Atty for P. Hagan.

Wm E. Burnes Exor. Pltff
vs. } In Chy
Jas H. Arrendondel Deft

Received of Duncan & Morgan Comrs. in the above styled Suit, said Morgans check on Powells Valley Bank for Three dollars and 74 cents the same being 27 per cent on a debt due from the estate of A R. Surgumer dec'd. this 5 day of March 1890. Wright Stickley

+ Recd of Duncan & Morgan Comrs. as above the sum of Eighty one cents being 27 per cent on a claim due me from A R. Surgeuners Estate. March 5 1890

L. M. Carnical

+ Recd, of Duncan & Morgan Comrs as above the sum of One dollar and 47 cents being 27 per cent on my debt vs. A R Surgeuners est March 8 1890

W. H. Livesay

+ $28.08 + Recd of Duncan & Morgan Comrs as above stated the sum of Twenty Eight dollars and 8 cents being 27 per cent on a claim due me from A R. Surgeuners Estate April 12 1890

A J Roller

+ $129.52 + Recd. of Duncan & Morgan Comrs as above stated the sum of One Hundred and Twenty nine dollars & 52 cents. being 27 per cent on a claim due Bales & Robinson from the estate of A R Surgeuner decd April 19 1890

James W Orr. atty for
D. B. Bales.

$50.76 + Recd of Duncan & Morgan Comrs as above stated, the sum of Fifty dollars & 76 cts, being 27 percent on a claim allowed W M Robinson vs. A R. Surgeuners Estate April 19 1890.

James W Orr. atty for
D. B. Bales.

Mr. A R Surgenor's Estate District No. 2

1886. To M. B. WYGAL, Treasurer of Lee County, Dr.

1 TRACTS.		STATE TAX, cents on the $100.		County Levy, 50 cents on the $100.		County School Tax 10 cents on $100.		District School Tax, cents on $100.		State School Tax, 10 cts on the $100.		TOTAL AMOUNT OF TAXES.	
To 5 acres land value	$200	6	00	10	00	2	00	1	00	2	00	$21	00
Property, income, etc.,													
Capitation Tax.													
County School Tax													
District School Tax													
State School Tax.													
Total												21	00
												22	00

Received Payment in full, _____ _____ Treasurer.

Received of Duncan & Morgan Bankers in said cause the sum of Twenty four dollars and 69 cents being the amount of Taxes due me from A R Burgunders Estate for the year 1886 on his Mill property ~~[illegible]~~ Janesville

W. B. Wygal Late Treas Rock Co

August ~~[illegible]~~ 1890

Wm E. Barnes Exr &c. Pltff
vs. } In Chancery
James W. Orr adm &c al Defts

To the Hon. H. S. K Morison Judge of the Circuit Court of Lee County Virginia:

Since filing our last report of receipts and disbursements in this cause, John McClure, James M Sergeanner, James H. Jayne, and Morgan Thomas for David F. Bush have paid in full the purchase price of the land bought by them respectively in this cause, and they are each now entitled to a deed of conveyance for the particular lots or parcels so purchased by them. The said Morgan Thomas, for the tract of 24 acres purchased by said Bush, and the said J H Jayne for the land covered by dower and said conveyance to be made subject to said dower right

Mr W. P. Weston the other purchaser of the land sold in this cause, has been making some payments on his debt, but down to this writing, he has not fully paid the purchase price of his land, but he has so far paid the same, we think a deed of conveyance may be safely made to him as well as the others In our tabular statement hereafter made in this report, we have charged ourselves with such sums as Mr Weston has actually paid us, and we have also charged ourselves, with what is still due from him to us, and we pursued this course in order to avoid making a further report in the premises.

It will be remembered that there was an upset bid put in as to the Mr McClure purchase of $300. additional price, and a resale was thereupon ordered in the cause, and the undersigned commissioner thereupon offered said lot a second time for sale, and Mr McClure became the purchaser at the additional price over his first purchase of $300 - and on this second sale

your commissioners did not retain their usual commission but now on this final adjustment of the matter we have retained $15.00 on account of said second sale,

Mr M B Hygal late Treas of Lee County has some Tax tickets against the estate of A B Surgener dec. which was not paid by Mr Bo as his admr on account of some dispute, or question as to who ought in fact to pay them, and your Comrs were summoned as garnishees in the matter, and it seemed to be the understanding of all parties that we as comrs should pay said Taxes, if after paying each creditor of said estate 27 per cent of his debt there should be sufficient funds left in our hands to do so, and we now find that when Mr Hooton shall pay us the balance due from him, we will have more than enough to pay said Taxes, after paying some claims in full, and all others 27 cents in the dollar, and hence we have paid Mr Hygal the sum of $24.69 on account of said Taxes.

Mr David F. Buck one of the purchasers of the land sold in this cause, has transferred his said purchase to Morgan Thomas, and Mr Thomas has paid us the purchase Money and hence the title for the same should be made to Mr Thomas.

We have paid H J Morgan his deed of Trust debt in full & Genl A L. Pridemore the balance of his deed of Trust debt in full and Mrs Robinson her purchase Money in debt in full, and such other preferred creditors if any as held such claims, And we then paid all other general creditors 27 cents on the dollar of their respective claims, We paid Mr Hygal said Taxes & we retained $15.00 commission on the re-sale of the McClure lot, and we yet will have in our hands when Hooton shall pay us the balance due from him the sum of $81.99 which we ask you how we shall dispose of the same

The Tabular Statement of our account is set forth in the following words and figures.

1	Cash Recd of J. H. Jayne July 2 1889		$ 170 00
2	Check $90. & cash $100 Recd of J. H. Jayne Dec 2 1889		100 00
3	Cash Recd of John McClure Dec 2 1889		241 00
4	Cash " " J. M. Surgenner July 7 1890		110 00
5	Cash " " J. H. Jayne Feb 4 1890 Bal his notes		85 25
6	Cash " " J. M. Surgenner " " "		293 00
7	Check " " Same " " "		113 25
8	Cash " " Same " " " Bal his note		146 76
9	Cash " " Morgan Thomas " " " Bus. note in part		96 55
10	Cash " " John McClure Feb 22 1890 Bal in full		412 92
11	Cash " " W. P. Weston March 17 1890		75 00
12	Cash " " Same " " " Hugh McCoy		50 00
13	Bal due on W. P. Weston note not paid		166 06
14	Total Sum recd. & Bal due from Weston		$ 2059 79
15	To 5 per cent Com returned on Second Sale McClure lot	15 00	
16	" this Sum paid A. L. Bridgmore July 1889	170 00	
17	" " " " Same Dec 13 1889	341 00	
18	" " " " Same Jany 9 1890	110 00	
19	" " " " Same Feb 6 1890	706 25	
20	" " " " Same " 22 "	32 00	
21	" " " " J. H. Wood for L. F. Hubbell Feb 25/90	115 83	
22	" " " " A. M. Thomas Feb 4 1890	28 51	
23	" " " " Richmond & Orr " 24 "	185 74	
24	" " " " A. J. Cussey " " "	8 91	
25	" " " " A. M. Gomez " " "	48	
26	" " " " Patrick Hagan Mar 1 "	15 01	
	" " " " Wright Stickey March "	3 74	
27	" " " " L. M. Carmichael "	81	
	" " " " S. H. Lowery "	1 47	
28	" " " " A. J. Roller "	28 08	
	" "		
29	" " " " Danl. B. Bales	129 52	
30	" " " " Same for Robinson	50 76	
31	" " " " M. B. Hygal Taxes	24 69	$ 1977 80
32	Balance in our hands after foregoing payments this Sept		$ 81 99

From the foregoing report and statement it is seen that we have paid all common creditors 27 cents on the dollar, and all preferred creditors in full, and after returning in our hands commission on a re-sale of the Mc Clure lot and paying M B Hygal the Taxes referred to. We yet have in our hands the sum of $81.99 for re distribution

Mr Orr the admr informs us that it is possible he may collect a judgment in favor of his intestate rendered on a claim which was not taken into his administration acct and if he does so this will also have to be re-distributed.

We therefore suggest that said residue in our hands be turned over to Mr Orr, so that one other distribution will answer all purposes.

We attach to this report all receipts for the Money paid out as shown in this report and tabular statement

Respectfully submitted

Duncan & Morgan Special Comrs.

Augt 8 1890

Wm E. Burnes Executor &c.

vs.

James W. Owen adm. & others

Owen's Report No. of Receipts & Disbursements. Filed

Filed August 8th 1890

J. Als Hyatt (c)

List of debts which are liens on the real Estate of A. R. Surgener deceased

Feb 22 1887 $643.50 Paid in full	1	To this sum amt Deed of Trust executed 20th Decr 1881 to H. J. Morgan to further secure Judgt as of 23r Novr. 1867, agreed amt.	$500.	00	
		Interest thereon to Octo 1st 1886	143.	50	$643. 50
Feb 1 1888. Paid in full to A. L. Dickenson $100.19	2	To this sum amt Judgt Circuit April 8th 1874 in favor of France Miles and assigned by him to A. L. Dickenson Subject to credits See Ex. No 2 Bal due	41.	50	
		Add for costs	11.	32	
		" Int to Octo 1st 1886	44	05	$96. 87
Paid B T Duncan atty for Wm. B. Dickinson $48.76 in full Feby - 1888.	3	To this sum Bal due Wm. B. Dickenson on Judgt See Ex. 3, as of Febr 1878			
		Subject credits. Mr. 14th 1882	$36.	06	
		Int to October 1st 1886	9	82	45. 88
Paid B T Duncan atty for F. G. Edmonson in full $8.51 Feb. 1 1888.	4	To this sum Bal due on Judgt in favor of F. G. Edmonson rendered Aug. 1879, Bal due Feby 18th 1881	6	01	
		Interest to Octo 1st 1886	2	02	8. 03
		Total forwarded			$794 28

		Amount brought forward			$794 28
	5	To this sum amount Deed of Trust executed by A. R. Surgener to A. L. Pridemore Jany. 24th 1885, five bonds for Mill with Int from 24th Jany. 1885	$3500 00		
		Interest to Octo 1st 1886	353 50		$3853 50
Paid in full $488.93	6	To this sum amount due Mary Robinson last note as the purchase price of land purchased of her Int from Mr. 1st 1885	$400 00		
		Interest to October 1886	38 00		
		Add Estimated of Chy suit	50 00		488 00
Land re-vested to satisfy this Decree	7	To this sum due James H. Orr comr in Chy Cause of Wm. H. Burns vs Wm Andrews for rent of land Int from Chy 21/83	$130 25		
		Interest to October 1st 1886	24 31		154 56
		Total amount of preferred debts, Octo 1st 1886.			$5290 34

Wm. E. Burns Expr.
vs } List of prefered
} lines.
Jas. W. Orr Admr. &c

$5290.34

("P. M.")

Evidence of preferred
Liens from 1 to
7 inclusive

Virginia,

At a Court of Quarter Sessions continued and held for Lee County, at the Court-House thereof, on Saturday, the 23rd day of November 1867.

Henry J. Morgan — Plaintiff
against
Daniel S. Dickinson — Defendant } In Debt.

The defendant not appearing, It is considered by the Court that the judgment obtained against him in the Clerk's Office for $606.12, the debt in the Declaration mentioned, with legal interest ~~thereon~~ on $106.12, part thereof, from the 8th. day of January 1861, and the like interest on $500.00 the residue thereof, from the 20th. day of December 1861, and the costs, be made final as to the said defendant Dickinson. And Abraham R. Surginer, another defendant herein, who has not been served with a copy of the summons in this cause, and the plaintiff having sued out an attachment in this cause as to him, On the motion of the plaintiff this cause, together with the said attachment, is continued till the next term as to the said A. R. Surginer.

A Copy ~

Teste ~ Henry J. Morgan Clerk

63.06
a 2.50
S — 60
J — 50
$ 6.66

Cr the above By $402.76 Feb 28th 1868 receipt given.
" " " " 100.00 " "
" " " " 50.00 Feb. 9th 1876 by A. S. Cox. (Receipt given)

Henry J. Morgan

vs. } Copy of Judgment.

Daniel S. Dickinson

Order Book page 132.
Execution Book page 112.
Judgment Docket " 51.

This deed made this 20th day of December 1881. Between Abram R. Surgenner of the first part, and John M. Morgan Trustee for the benefit of Henry J. Morgan as hereinafter stated of the second part. all of the county of Lee State of Virginia.

Witnesseth that whereas the said Henry J. Morgan several years ago recovered a judgment against Daniel S. Dickinson and said A R. Surgenner for the sum of $606.12 with legal interest on $106.12 part thereof from the 8th day of January 1861. and on $500.00 the residue thereof from the 20th day of December 1861. till paid and the costs of suit amounting to $6.66 On which judgment there has been paid the following sums to wit $402.76 paid Feb. 28th 1868. $100.00 paid Defendant Feb. 9 1874. and $50.00 paid Feb. 9th 1876 for all of which, receipts were given by said Morgan at the time of said several payments. and which are now ~~[illegible]~~ the surrendered to said Morgan by said Surgenner. And whereas by a settlement made between the said Surgenner and the adm. of said Daniel S. Dickinson ~~the which~~ the said A R Surgenner agreed and undertook to pay the whole of said judgment. And whereas there is a balance due said Morgan on said judgment when calculated down to said 20th day of December 1881. of $500.00 and whereas said sum constitutes a lien on all the real estate of the said A R. Surgenner as well as that of the estate of the said Daniel S Dickinson decd. And whereas the said Morgan hath been altogether indulgent in the collection and enforcement of said judgment, In consideration thereof the said A R. Surgenner hereby agrees re-assumes and undertakes to pay said Morgan the said sum of $500.00 .. on account of, and as the balance

due on said Judgment, with legal interest thereon from the said 20th day of Dec. 1881. till paid, but this transaction is not to be regarded and treated as a new debt, but a new undertaking to pay the old one and said Morgan does not in any way release any right or lien which he has already acquired by virtue of said Judgment, but this transaction, is to be considered and treated as creating an additional lien on the lands of said A R Surgenner to secure said debt or Judgment. and to save the trouble and expense of a chancery suit to enforce the payment of said Judgment should one become necessary In consideration of these premises and in order to further secure the payment of the balance due on said Judgment as before stated with such interest as may accrue thereon, the said A R. Surgenner doth by these presents give grant bargain sell deliver and convey unto the said John M. Morgan trustee as aforesaid all that certain tract or parcel of land lying and being in said County of Lee and on which the said Surgenner now lives and all the lands owned by said Surgenner adjoining thereto or in the neighborhood, to which he has claim right or title To have and to hold the same with all the appurtenances thereto belonging unto the said John M Morgan trustee as aforesaid and his heirs forever. And the said A R. Surgenner hereby covenants that he has good right and title to the lands hereby conveyed and that he will warrant generally the title to the same. In Trust. Nevertheless if said A R. Surgenner shall on or before the 1st day of January 1883 pay or cause to be paid to said Morgan said sum of $500.00 with such interest as may accrue thereon together with the

expense of drawing and recording this deed, then the same is to be void. But if default be made in such payment or any part thereof then it shall be lawful and full power and authority is hereby conferred on said trustee to proceed to sell any and so much of said land for cash in hand as will be necessary to pay such balance as may then remain unpaid. But before doing so he shall advertise the time terms and place of sale 30 days prior thereto by posting an advertisement at the court house door for that space of time and said sale to be made at the court house on some court day. But it is expressly understood that said H. Morgan is not by this deed to be precluded from taking out execution on said judgment against said Surgenner the same as if this paper had not been executed and in the event he should choose to do so the same is to be issued for said sum of $500.00 with interest thereon from the 20th day of Dec. 1881 till paid and such costs as may be incurred in issuing all subsequent executions

Witness the following signature & seal.

A. R. Surgenner (Seal)

Virginia Lee County towit

I John A G Hyatt deputy for John R. Gibson clerk of the County Court of Lee County in the state aforesaid do certify that A R. Surgenner whose name is signed to the foregoing deed bearing date Dec 20 1881. personally appeared before me in my office and acknowledged said writing to be his act and deed. and the same is therefore admitted to record. Given under my hand this 6th day of Jany. 1882.

J. A. G. Hyatt D. Clerk

(37)

John M. for H. J. Morgan

From } Deed of Trust

A. R. Burgunser.

Recorded in Deed

Book No 21 P. 42-3

J. R. Gibson atty

500.00

~~148.50~~

Octo. 1st 1886 - $643.50

(1)

7.100

6.125

$2.25

Paid

Jan 6 1865

Pin with Int. from Sept 21st 1872	$100.00
Interest to Decr. 21st 1872 - - -	1.50
	$101.50
Cr Decr. 21st 1872	59.00
	$42.50
Interest on same to Sept. 29th 1885	32.57
	$75.07
Costs Cr $5.16 A 2.50. $ 50, Hyatt 1.16	10.32
	$85.39

France Miles

To } Assignment

A. L. Pridemore

See executori
Book Circuit Court
Clerks office

Judgt rendered April 8th 1874.

France Miles Deff
vs } In Debt
A. R. Surgenner Deft

Judgt for 100$ with
Interest from Sept 21st 1872 See Execution
Book page 46 — $100.00
Int, to Decr 21st 1872 .... 1.80
$101.80
Credit this date " 59.00
$42.50
Add for costs $9.16
$51.66
Interest on same to Sept 29th 1885 .... 38.57
$90.23
Add for costs to Hyatt 1.16
$91.39
Int to Octo 1st 1886 5.48
$96.87

Virginia
Lee County to wit: —
France Miles
this day personally appeared before me and made oath in due form that there remains due on his Judgt, as assigned to A. L. Pridemore from the Estate of A. R. Surgenner as of date of assignment the sum of $91.39, and that the same has not been settled by Surgenner with him in any way. May 19th 1886

J. A. G. Hyatt
Comr

A. L. Pridemore assignee
of France Miles

vs } Judgt Apr. 8 1874
See Ex Book 46

A. R. Surgener

Total amt due
October 1st 1886 $96.87

Judgt & Bal Bring $41.50
Costs 11.32
Int 44.05
$96.87

(2)

The commonwealth of Virginia:

To the Sheriff of Lee county. Greeting.

We command you that of the Goods and chattels of Wm W Sage, John D Sims, A. R. Anderson, James Worley, George B Milhoum, B. S. Surgener, John W Bailey, James L Jones, Wm C Miller & A. R. Surgener late in your bailiwick, you cause to be made $30000.00 to be discharged by the payment of $700.35 with legal interest thereon from the 1st day of Decr 1870, to the 27th day of March 1880, and damages in the sum of $962.28 at the rate of six per cent per annum from the said 27th day of March 1880 to the 6th day of September 1880, and legal interest on the said sum of $700.35 from the said 6th day of September 1880, till paid, which The commonwealth of Va. for Wm B Dickinson lately in our circuit Court of Lee county has recovered against them by suit for Debt also $125.50 which to the said Commonwealth for &c, in our said circuit court and in the court of Appeals were adjudged for her costs in that behalf expended, whereof the said Sage, Sims, Anderson, Worley, Milhoum, Surgener, Bailey, Jones, Miller & Surgener are convicted, as appears to us of record. And that you have the same before the Judge of our said circuit court at the court house on the first Monday in February 1881, to render to the said Wm B Dickinson of the Debt, damages and costs, as aforesaid. And have then there this writ. Witness James W Orr, clerk of our said Court at the Court house, this 15th day of December 1880, in the 105th year of the Commonwealth.

James W Orr Clerk

Clk	20.59
Atty	2.50
Sheriff	7.00
Writ	13.16
	43.25
Ct. & Co.	82.25
	$125.50

1875 Feb 1st Cash by A. R. Surgener to Dickinson $10.00
" " " Cr one Lesson Paid by Same To Same 50.00
1879 Feb 13th " Cash by A. R. Anderson 55.00
" " " " " " " " Surgener

Feb 5th 1881

The Commonwealth for &c

vs

Sl. Fl.

Wm W Sage et als.

Feb Rules 1880

No property found on the premises of A R Surgener only what was claimed under the law and by other Parties this Jany 11th 1881

Thos. Ely S.F.C.

(113)

This is the only outstanding matter v Sage & Sureties
June 14/81.

Fd

W. D. Dickenson vs A. R. Surgenwald

Amt Judgt, Int from Decr. 1st 1870.		$700.35
Int to Decr 1st 1878 ~~$336.16~~		336.16
Cr this date	100.00	
Int to Feby 1st 1879		3.50
Cr this date	65.00	
Int to June 30th 1881		101.15
Add for costs in Court of Appeals		125.50
		$1166.66
Cr June 30th 1881	$782.83	947.83
		$218.83
Int to March 14th 1882.		9.29
		$228.12
Cr this date		200.00
		$28.12
Add for damages		7.94
		$36.06
Interest to Octo. 1st 1886		9.82
		$45.88

Out of this amt, J. W. Orr is entitled as of June 30th 1881. to the sum of $21.92. & to C. T. Duncan as of same date $2.50

Drawn by C. T. Duncan to be yet due J. A. L. Hyatt Atty.

Feb. 1880.

W. B. Dickenson

vs } Bal due on Judgt. Octo 1st 1886 $45.88

A. R. Surgenier

Prin	$36.06
Int to Octo 1st 1886.	9.82
	$45.88

(3)

The Commonwealth of Virginia,

To the Sheriff of Lee County---Greeting:

WE COMMAND YOU, That, of the goods and chattels of Wm W. Sage, John D. Sims, A.R. Anderson, James Worley, George B. Milburn, C. S. Surgener John W. Bailey, James F. Jones, Wm P. Miller & A.R. Surgener

Late in your bailiwick, you cause to be made $35000,00 ~~the penalty of a Forthcoming Bond,~~ to be discharged by the payment of $ 253.15 , with legal interest thereon, from the 1st day of Dec. 1870 , till payment, which The Commonwealth of Va, for Fanny C. Edmondson Exrx. of Wm B. Edmondson dec'd.

Lately in our ~~County~~ Cir. Court for Lee County has recovered against them by ~~motion on said Bond~~ Suit; also $ 16.86 which to the said Commonwealth for ve

In our said Court were adjudged for her costs in that behalf expended, whereof the said Sage et als are

Convicted, as appears to us of record. And that you have the same before the Judge of our said —— Court, at the Court-House on the first Monday in Aug. next to render to the said Edmondson Exrx. of the debt , and costs aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-house, this 9th day of June 1879 , in the 103 year of the Commonwealth.

James W. Orr CLERK.

C 11.86
a 2.50
S' 3.00
$16.86

123 S. C. m r d

The Commonwealth for &c

vs } Fi Fa

Wm W. Sage et als
No security to be taken

Aug. Rules 1879.

No property found
Aug 2nd 1879.
F Miles DS for
T. S. Ely SLC.

1878. Aug. 5th Or. By $100.00

T. Ednocson vs N. Surgenuret al

Judgt Int from Decr 1st 1870		$253.15
Int. to Aug 5 1878.		116.61
Cr this date	$95.00	
Int to Jany 7th 1881.		36.79
Add for Cost		15.70
		422.25
Cr. Jany 7th 1881	$95.00	190.00
		$232.25
Int to Feb. 18th 1881		1.62
		$233.87
Add Atty fee in Court of Apls.		20.00
		$253.87
Cr this date		249.50
		4.37
Add accumulated Costs		1.64
		$6.01
Interest to Octo. 1st 1886		2.02
		$8.03

J. W. Orr is due out of this sum
as of Feby 18th 1881, $3.50
& C. T. Duncans same date 2.50 $6.00
Interest 2.02 8.03

Proven by C. T. Duncan June 29 1886.

J. A. S. Hyatt Comr

Aug. 1877.

H. C. Edmonson

vs } Bal. due on Judgt Octo 1st 1886 $8.03

A. R. Surgenner et al

Prin	$6.01
Int to Octo 1st 1886	2.02
	$8.03

(4)

Be it remembered, that I the undersigned have this day executed to A. L. Pridemore my five several bonds payable annually from this date bearing interest from this date, each for the sum of seven hundred dollars, being the purchase price of a water & Steam Grist Mill this day purchased from him, And for the payment of which a lien was retained thereon in said deed this day executed, Now therefore to further secure said purchase money, I agree the said amount thereof $3500.00 and interest from this date shall and by these presence is made a lien upon the lands I now live & reside upon in Lee county Va. properly described in my deeds & title papers as the T. T. Harris farm deeded me for 191 acres by said Pridemore as Trustee of the Robinson lands of record in said county to which reference is here made for specific metes and bounds and which said lands consists of said 191 acres of Robinson land. and this lien shall be and remain and have all the force & binding efficacy of a Mortgage on said lands the same as if fully set out & described but this lien shall not be enforced until the lien on the Mill property is fully

exausted. And in consideration of this lien the said Pridemore binds himself if said Mill should unfortunately be destroyed by flood or fire to extend the time of payments before mentioned to double the time at such event remaining. Witness my hand & seal this Jan 24 1885.

A. R. Surgener (Seal)

Virginia Lee county to wit:

I, John R. Gibson clerk of Lee county court in the State aforesaid do certify that J. A. G. Hyatt and E. S. Bishop this day personally appeared before me in my County aforesaid and made oath that A. R. Surgener's signature to the foregoing Mortgage was genuine to the best of their knowledge and belief and said Mortgage is thereupon admitted to record. Given under my hand this the 27th day of January 1885.

John R. Gibson. Clerk
of Lee county court.

A. R. Surgener
To Copy of Mortgage
A. L. Pridemore

Recorded Deed
Book 21 P. 68.

amt Trust Jany 24/88 $3500.00
Interest to Octo 1st 1886 353.50
$3853.50

(5)

Fee for this copy 40¢

Amount of Note Executed by
A. R. Surgenner to Mrs. Mary
Robinson for land see
Exhibit "B" filed in Chancery
Cause of said Mary Robinson
vs Jas. W. Orr Admr.

Note with Int from March 1st 1885	$400.00
Interest to Oct 1st 1886	14.00
Estimate Costs	50.00
	$464.00

Mary Robinson
vs } Evidence of Debt
A. R. Surgeons Est

Note -	$400.00
Int,	14.00
	$414.00
Estimate Costs,	50.00
	$464.00

(6)

$65.12½

Twelve months after date, with interest from date, we bind ourselves heirs &c to pay to James W. Orr Commissioner in the Chancery cause of Wm. H. Burns against Wm. Andre pending in Lee Circuit court, the sum of Sixty-five dollars and twelve and one half cents, for value received of him.

And we hereby waive the benefit of our homestead exemptions as to this debt, witness our hands and seals Aug. 21st 1883. A. R. Surgenner (Seal)
William Robinson (Seal)
James Cassell (Seal)

Two Years after date, with interest from date we bind ourselves heirs &c to pay to James W. Orr Commissioner in the Chancery cause of Wm. H. Burns against Wm. Andre pending in Lee Circuit Court, the sum of Sixty five Dollars and twelve & one half cents for value received of him, And we hereby waive the benefit of our homestead exemptions as to this debt witness our hands and seals, Aug. 21st 1883. A. R. Surgenner (Seal)
William Robinson (Seal)
James Cassell (Seal)

A Copy
Teste — J. A. Hyatt Clerk

Jas. W. Orr. Counr. in Chg.
Cause of Burns vs Andrea
vs } Notes for
} Rent of Land
} 10 years
A. R. Surgamenetal

Prin Aug 21 1883 $130.25
Int to Oct 1 1886 24.31
$154.56

(7)

The Estate of A. R. Surgenner decd

To Sundry persons his creditors Dr.

1886	For Note executed by A. R.				
Oct. 1st	Surgenner to H. J. Morgan January				
"A"	1st 1885 this sum	$ 29	35		
	Interest thereon to October 1st 1886	3	08	$ 32	43
	To H. J. Morgan Bal. due				
"B"	on statement Nov. 14th 1884	29	28		
	" Interest to Oct. 1st 1886	3	30	32	58
	To Alpha Parrott Admx. for				
"C"	Note, with Wm Robinson security	20	22		
	" Interest from Aug. 5th 1886 to Oct 1st 1886	1	39	21	61
	To P. H. Allen Bal. on Note				
D	" January 22nd 1880.	8	46		
	" Interest thereon to Oct. 1st 1886	3	18	11	64
E	To Wm. P. Weston Note January 18th 1882	100	00		
	" Interest to Oct. 1st 1886	28	20	128	20
	To Wm. P. Weston his account	85	00		
"F"	" Int from Mr. 17th 1883, to Oct 1st 1886	18	02	103	02
	" Wm. P. Weston his account	90	00		
"G"	" Int. from Sept. 1st 1882 to Oct. 1st 1886	22	05	112	05
	To G. C & Wm. P. Duff Bal on Note	284	82		
"H"	" Interest from May 11 1875 to 1st Oct 1886	194	53	479	35
	To A. J. Litton Two Notes Princ	20	21		
I	" accumulated int to Oct. 1st 1886	30	53	50	74
	To Martin W. Sims Note Aug 28/85	13	60		
"J"	" Interest to October 1st 1886		89	14	49
	Total Forwarded - - -			$986	11

	Amount brought forward			$986.	11
"K"	To J. W. Baker Note due Dec 18 1883	$175	00		
	" Interest to October 1st 1886	29	22	204	22
L	To Wright Stickley Note	11.	23		
	" Interest to Octo. 1st 1886	1.	58	12.	81
M	To M. D. Richmond per Statement, amt Principal	1185	66		
	" Interest to October 1st 1886	125	02	1310	68
"N"	To M. D. Richmond Bal, due on Babb Land transaction	52.	86		
	Interest to Octo. 1st 1886.	1	05	53	91
O	To M. D. Richmond and Jas. W. Orr, See Statement "O.	1426.	71		
	" Interest thereon to Octo. 1st 1886	153.	52	1580.	23
P	To J. A. G. Hyatt assignee J. S. Hall	12	37		
	Interest thereon to Octo. 1st 1886		86	13.	23
Q	To J. A. G. Hyatt See list of fee bills - - - -	61.	24	61.	24
R	To Editor Lee County Sun	1.	55		
	Interest to Octo. 1st 1886		09	1	64
S	To Dr. John D. Morgan Acct.	10	44		
	Interest to Octo. 1st 1886		66	11.	10
T	To N. M. Thomas his acct	94.	65		
	Interest to Octo. 1st 1886	5	67	100.	32
U	To John R. Gilison list of fee Bill	11	28	11	28
V	To A. L. Pridemore note + acct	49.	25		
	Interest to October 1st 1886	3	55	52.	80
	Amount forwarded			$4399.	57

	Amount brought forward			$4399	57
	To N. S. Cox bal note	45	59		
W	Interest to Octo 1st 1886	6	61	52	20
	To N. S. Cox assignee Jas. Moneyhun	73	55		
X	Interest to Octo. 1st 1886	21	69	95	24
	To Wm E. Burns Ext. Note	100	00		
Y	Interest to Octo. 1st 1886	30	60	130	60
	To C. T. Duncan See Statement	248	54		
Z	Interest to Octo 1st 1886	77	87	326	41
	To Harvey Young Bal Note	200	40		
1	Interest to Octo 1st 1886	22	34	222	74
	To Wm. M Robinson 1/2 Balance note	167	71		
2	Interest to Octo 1st 1886	4	83	172	54
	To Wm M Robinson bal note	21	91		
3	Interest to Octo. 1st 1886	1	39	23	30
	To H. A. Monison Note	10	00		
4	Int to Octo. 1st 1886	3	30	13	30
	To Wm N. McNiel bal note	46	28		
5	Interest to Octo. 1st 1886	27	30	73	58
	To Wm. N. McNiel acct	29	79		
6	Int. to Octo 1st 1886	1	90	31	69
	To James M. Orr Bal Statement	91	68		
7	Interest to Octo 1st 1886	3	85	95	53
	To A. J. Roller assignee note	40	00		
8	Interest to October 1886	60	20	100	20
	To A Edmonson assignee Judgt	29	25		
9	Interest to Octo. 1st 1886	6	68	35	93
10	To H. C. Joslyn Cours fee		1.50		1.50
	Amount forwarded			$5774	33

	Amount brought forward			$5774	33
11	To John Botner Note	$88.	68		
	Interest to Octo. 1st 1886	8.	60	97.	28
12	To James Pennington his acct	1	00		
	Interest to Octo. 1st 1886		08	1	08
13	To S. H. Livasy acct	4	16		
	Int. to Octo 1st 1886		94	5.	10
14	To Duncan and Orr, Statement	276	46	276	46
	To Surgenner Bales & Co bac acct	430	27		
15	Interest to Octo. 1st 1886	8	60	438.	87
	To A. Edmonson as security, Note	71.	00		
16	" Interest Octo. 1st 1886	8	87	79.	87
	To A. Edmonson security, Note	106	50		
17	Interest to October 1886	7	34		
	Cost of suit	8	26	122.	10
	To A. Edmonson & J. W. Orr securities	481.	00		
18	Interest to Octo. 1st 1886	33.	18		
	Cost at law	8	36	522.	54
	To David C. Hall acct	4	75		
19	Interest to Octo. 1st 1886		08	4.	83
	To Wm. M. Robinson Two notes	88	35		
20	Interest to Octo 1st 1886	10	29	98	64
	To Patrick Hagan Sheriff A. L. Pindemon	48	00		
21	Interest to Octo 1st 1886	3	12	51.	12
22	To M. D. Richmond & James W. Orr				
	as securities of A. R. Surgenner				
	to A. L. Pindemonio Recov Aug. 25 1886	1040	71		
	Interest to Octo 1st 1886	6	40	1047	11
				$8519.	33

P. M.

See report of Comr.
Ld. S. Duncan in Chcy.
Case of A. L. Bidwell
vs Jas. H. Orr Admr.
A. R. Surgener decd.

3833.50
2963.11
$890.39

Special Statement No. 1

Total amount of prefered Claims which operate as liens on Real Estate " P. M.			$5290.34
By net sale of Grist Mill June 22 1886	$1468.	20	
" Interest thereon to Octo. 1st 1886	24.	22	
" net sale of lot of land, part of mill lot	25	00	
" Interest to October 1st 1886		41	
" net sale of Steam Engine July 20 1886	440	00	
" Interest thereon to Octo. 1st 1886	5	28	
	$2963.	11	
" Bal necessary to satisfy liens " "	$3327.	23	$5290.34

1886
Octo 1st

Special Statement No. 2

Amt prefered liens unsatisfied		$3327.23
" Common indebtedness		8519.33
Total indebtedness reported - -		$11846.56
By amt in Admr's hands for distribn	$1731.30	
" " Value Real Estate say	7000.00	$8731.30
		$3115.26

Special Statement No 3

Total amt Common Debts	$8519.	33
" amt prefer liens less Indemnares lien - - -	1413 84	$9933.17

Of this sum $9933.17 the amount of personal in Admrs hands $1731.30 is some little over 17% —

Mrs E. Burns Est
vs } List of Debts
A. R. Surgners Est

$8519.33

See new list for payment

Com. Debts $8519.33
Prefered " 5290.34
Total $13809.67

Know all men by these presents that we M. O. Combs D. B. Bales, John M. Morgan and A. Edmonson are held and firmly bound unto the Commonwealth of Virginia in the just and full sum Two Thousand and fifty Dollars, and for the prompt payment thereof, well and truly to be made unto the said Commonwealth of Virginia for the benefit of the creditors of A. R. Surgener dec'd, we bind ourselves heirs &c, and we as to this bond hereby waive our Homestead exemptions, witness our hands and seals this 30th March 1887.

The condition of the above obligation is such that whereas in a certain Chancery Cause, pending in the Circuit Court of Lee County, Virginia in which Wm. E. Burns Exr, is plaintiff and James W. Orr Admr &c et al are Defts, certain lands known as the Robinson tract was sold, in which John McClure became the purchaser at the price of $1860. and whereas the above bound M. O. Combs being desirous and offering to put in an upset bid to the sale of the said Robinson tract to the extent of about 10% at least

Now therefore if the said M. O. Combs shall upon a re-sale of said Robinson tract of land make it bring at least $2152.00 which is $190. more than it heretofore sold for, then this bond to be void otherwise to remain in full force and virtue.

M O Combs (Seal)
D. B. Baker (Seal)
John M. Morgan (Seal)
A. Edmonson (Seal)
(Seal)

Wm. C. Burns
Bond
23
Cas. Ho. Ex. to Foo
Filed Mr 30/1852
J. A. Bostwick

Know all men by these presents, that we C. T. Duncan and Henry J. Morgan as principals and ~~Jno~~ Henry C. Joslyn

as securities are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Ten Thousand (10.000$) Dollars, and for the prompt payment thereof well and truly to be paid unto the said Commonwealth, we each bind ourselves heirs &c. and we as to this obligation hereby waive our Stomestead exemptions, witness our hands and seals this 15th day of December 1886.

The condition of the above obligation is such that whereas, the above bound C. T. Duncan and Henry J. Morgan was appointed Commissioners, by a decree entered in the Chancery Cause of Wm E. Burns Exr &c against James M. Orr Admr. A. R. Surgener &c others now pending in the Lee Circuit Court, on the 26th day of November 1886, and in said Decree directed to make sale of the Real Estate belonging to A. R. Surgener at the time of his death, on certain terms and in a specified way, fully

and clearly set out in said Decree.

Now therefore should the said Duncan and Morgan, faithfully and truly perform the duties assigned them, and properly and justly account for all sums of money received by them in the discharge of their duties under this Decree then this obligation to be void otherwise to remain in full force and vistue.

C. T. Duncan (Seal)

Henry J Morgan (Seal)

Henry C. Foslyn (Seal)

(Seal)

(Seal)

Wm. E. Burns Exr.
vs
Bond
$10.000.00
Jas. H. Orr Adm. &c.

Filed Dec. 10th 1866
J. A. Wyatt Cc

I Jeff R. Duff editor and publisher of the Va Herald a weekly newspaper published in Jonesville Va do certify that the following Commissioners notice appeared four successive weeks in the above named paper, and the fee $5.00 for printing same is due and unpaid. Publication ending May 22nd 1886.

Jeff R Duff Pub.

COMMISSIONERS NOTICE.

Wm. E. Burns, Exr. Complainant.
versus.
James W. Orr, Admr &c et al Defendant.
IN CHANCERY.

Pursuant to the requirements of a decree entered in the above styled cause at the March term 1886, of Lee county Circuit court. I will proceed. at my office in the town of Jonesville, Va. on the 14 & 15 days of May 1886. to take and settle the accounts of James W Orr, Administrator of A. R. Surgener deceased. and ascertain the amount in his hands. or that will come into his hands, and be available for the payment of debts.

And on the 17th and succeeding days until the 22d day of May 1886. at the before mentioned place. I will proceed to ascertain the indebtedness of said estate. during which time all the creditors of said A. R. Surgener dec'd will present before me evidence of their debts against said estate. their priorities, specific liens &c. J. A. G. Hyatt, Comr.

April 2nd, 1886.

I certify that I ordered the above notice and that it was necessary

January 28th 1887. J A G Hyatt Comr

Pay to the order of Allen Brown
Jeff R Duff

Wm E Barnes
v.s.
James W. Orr. Adm

April 22 to May 22
1846.

D.o.P.

Judge H J Morgan

Please pay

A M Brown Five Dollars

amt due him for printing

Notices &c in the Case

W E Barns vs A R

Surgener Dec'd.

April 4/87.

Jas L Orr

Pub Adm'r

List of Notes in the hands of Comrs. Morgan and Duncan going to the Creditors of A. R. Surgenner -

Note on D. F. Burk et al, Int from 22 Feb/87	$82.	00		
Interest thereon to May 1st 1888	5.	86	$87.	86
Note on Weston and Burk, Int from Feby 22 1887	493.	50		
Interest thereon to May 1st 1888,	35.	28	528.	78
Note on J. H. Jayne et al Int from Feb. 22/87	1233.	25		
Int to September 19th 1887.	42	54		
	$1275.	79		
Credit this date - - - -	212.	00		
	$1063.	79		
Interest to October 18th 1887.	5.	31		
	$1069.	10		
Credit " " "	100.	00		
	$969.	10		
Interest to Nov. 22nd 1887	5.	33		
	$974	43		
Credit " " "	120	00		
	$854.	43		
Interest to May 1st 1888.	22.	64	877.	07
Note on J. M. Surgenner et al Feby 22nd 1887	$1286.	75		
Int to September 30th 1887	46	75		
	$1333.	50		
Cr. Sept 30 1887, $175. + 175. + 15. = $365.00	365	00		
	$968.	50		
Interest on this sum to Feby 8th 1888	20	66		
	$989.	16		
Credit February 8th 1888	90	00		
	$899.	16		
Interest thereon to May 1st 1888	12.	58	911.	74
Note on John McDowell Feby 22 1887	$1529.	50		
Interest to Feby 7th 1888.	87.	94		
	$1617.	44		
Cr. Feby 7th 1888, Cash 156.38 order 82.54	238.	92		
	$1378.	52		
Interest to May 1st 1888.	12.	40	1390.	92
Arden from Judge Duncan (about)	82.	54		
Interest thereon to May 1st 1888		74	83.	28
Total Prin. & Int. in Comrs hands May 1 1888.			$3879.	65
By this sum to be paid Tridemore			1236.	69
			$2642.	96

List of notes
&c, in hands of
Comrs. Morgan
Duncan Comrs
amt. $2642.96
May 1st 1888,

Statement of the account of James W. Orr Admr. of the Estate of A. R. Surgenner decd,

To the creditors of said Estate Dr

1886 Octo. 1st	To this sum amount of sale Bill No. 1 due October 1st 1886		$1919.00
	To this sum amt Sale Bill No. 2 including rents &c		764.32
	" " " Total amt in Admrs hands Octo. 1st 1886		$2683.32
	By 10% Commission on receipts	$268.33	
1	By this sum, Snodgrass Judgt in full	$180.05	
2	" " " A. L. Pridemore " " "	273.54	
3	" " " Bal Money Judgt " "	57.00	
4	" " " paid D. Bryings on settlement	56.02	
5	" " " John R. Gibson clerk's fees	6.65	
6	" " " Bal Taxes for year 1884	18.95	
7	" " " " " " 1885	71.98	
8	" " allowed Admrs acct for gathering crops	19.00	
9	" " paid appraiser Latham	2.00	
10	" " " Silas Garrett acct,	1.50	
	By this sum in Admrs hands to square	$1731.30	$2683.32
1886 Octo. 1st	Total amount in Admrs hands		$1731.30

Two Hundred Dollars of which is for rents, which is not due until 1st Decr, but draws interest from Octo. 1st 1886.

Jas. W. Orr Adj
A.R. Surgeon
Statement of his acct
Le. Oct. 1st 1886.

$1731.30

"O"

Sale bill of the personal property of A. R. Burgener dec'd. sold on the 1st day of October 1885, on twelve months credit.

One set Smith tools	to	Thos Beaty	$ 23.00
One set Harness	"	Same.	5.00
Forks & Scythe blades	"	Wm Weston.	.55
40 lbs oats @ 29½ cts	"	Same	11.80
Three hogs	"	Same	11.30
One small table	"	Same	1.00
One large black Mule	"	Same	120.00
Two mattocks & one hoe	"	Jos Dehusk	.85
Two wagon wheels	"	Same	3.20
Three saws	"	Same	1.50
One set harness	"	C. N. Thompson	3.10
Three hogs	"	Same	14.70
One cutter stock &c	"	James Burgener.	.10
One Little wheel	"	James M Burgener	1.00
One candle stand	"	Same	1.00
One Gray Mare	"	M. H. Thompson	107.00
One fan mill (Monitor)	"	J. W. Lawson	5.75
Lot old plows	to	A. Edmonson (B)	.75
One double shovel plow	to	Alx Wynn.	2.00
25 bus wheat	"	Wm Robinson @ .95 cts	23.75
1/5 of threshing machine	to	Same	9.25
25 bus wheat	to	James H Jayne @ $1.00	25.00
One steer	"	Same	11.50
One folding leaf table	"	Same	3.10
Two old scythes & cradles	"	Same	.65
			$ 387.05

Amount brought over			$387.05
25 lbs wheat remainder	to	John Grubb @ $1.02	25.50
90¾ lbs oats, remainder	to	Caleb Ball @ .24 cts	21.80
One big plow	to	N. L. Callaham.	8.00
One bay mule	"	D. N. Thompson.	70.00
One black horse	"	C. T. Duncan.	162.50
One pair young mules	"	R. G. Lenacy.	167.50
One Black Mare mule	"	C. H. Kincaid	87.00
Two Mare Mules	"	John Bales	140.00
One black horse mule	"	M. C. Parsons.	147.00
Four hogs	"	Jerome Thompson	18.00
One straw cutter	"	J. W. Moore	11.10
Seventeen young cattle	"	M. C. Parsons @ $18.10 - on 30 dys (Paid)	307.70
One heifer	"	C. H. Kincaid	11.25
One calf	"	Same	3.00
One crosseyed steer	"	Same	2.50
One bull	"	J. S. Gillenwaters	17.00
One bull	"	Orrill T. Spencer	20.65
One saddle	"	W. D. Richmond	5.00
Seventy lbs bacon hams	"	John Mullins	7.52
51¾ lbs " shoulders	"	Same	3.75
One cow	"	Same	30.00
55 lbs bacon hams	"	Wm A. M. Baker	5.50
105 lbs bacon shoulders	"	C. C. Bell	6.30
Six chairs	"	George Holliday	3.00
100 lbs bacon sides	"	S. H. Minter @ 11¼ cts	11.25
One bed & stead	"	Stephen Ousley	18.00
Lot of hay in barn	to	Nancy E. Surgener	21.00
			$1720.87

18 were sold but one belonged to S. O. Surgener and to the best of Orr Adm.

Amt brot down		$1720.87
One small table to Nancy E Surgener		.25
One candle stand "	Same	.25
One clock "	Same	5.00
One bed & stead "	Same	5.00
One Safe "	Same	2.00
One Mower & rake "	L. L. Surgener Jr.	37.50
One Grind stone "	Same	.25
One stack hay "	Wm Weston @ $8.00	8.00
659 lbs bacon sides "	Thos J Ely @ 11¼	74.13
Cash on hands by decedent		$1852.75
		50.00
	James W Orr. Admr.	$1902.75
Martha G Bacon	oats	3.75
J. M. Surgener	(Something, have his note)	12.50
		$1919.50

Virginia Lee County Court-Clerks office June 19th 1886. The foregoing Sale Bill of the personal property of A. R. Surgener decd, was this day filed in this office and admitted to record. Teste

John R. Gibson Clerk

James W Orr Admr.
of A. R. Surgener dec'd.
Sale Bill No 1.
Oct 1st 1885.
Recorded in Will
Book No 3 Page 657.

(No. 1)

Filed June 19th 1886.

Sale bill of the personal property of A. R. Surgener dec'd, Nov 24th 1885, on a credit until Oct 1st 1886, & Renting of land due Dec 1st 1886 with Int from Oct 1st 1886.

To James H Jayne, one stack hay		5.00
Same One " "		8.00
Same One Saw		1.00
" Wm P. Weston One stack hay		4.70
Same 40 1/3 lbs corn @ 31 cts		12.50
Same One wagon		23.00
" C. Willoughby one stack hay		5.00
Same 30 doz oats @ 12 3/4		3.83
Same 50 lbs corn @ 33		16.50
" D. F. Burk One stack hay		5.25
Same One " "		7.50
" Alx Wynn One " "		7.10
" Matilda Gray One " "		4.80
" France Miles 60 Doz oats @ 12 1/2		7.50
(to remainder) " James Surgener remainder of oats @ 12		
" Wm Robinson 50 lbs corn @ 31 1/2		15.75
" Same & D. F. Burk 100 lbs corn @ 29 cts		29.00
" A. Edmondson 100 lbs corn @ 34 1/2		34.50
Same 100 " " " 35		35.00
" W. P. Thompson 100 lbs corn " 33		33.00
" George Baumgardner 115 " " " 30		34.50
" Nancy E Surgener 100 " " " .20		20.00
" A. J. McCurry 80 3/4 " " " .31		25.02
James H Jayne Rent of Robinson land for 1886.		125.00
" Wm P Weston " " Land where he lives " "		50.00
" Jas Cassell " " Wilson land " "		25.00
James W Surgener Admr		538.45

Virginia Lee County Court Clerk's office June 19th 1886. The foregoing Sale Bill of the personal property of A. R. Surgener, dec'd was filed this day in this office and admitted to record Teste

John R. Gibson Clerk

James W. Gr. Admr. of A. R. Surgener dec'd
Sale Bill
Nov 2nd 1885
Recorded in Vol B Page 655
No 2

Amt brought forward $5-38.43
Amount of proceeds of Sale collected by the admr of A. R. Surgener dec'd. $425.87
$764.32

John S. Snodgrass

vs

A.R. Surgener & T. S. Ely

Judgement on a forthcoming bond to be discharged by the payment of $162.19 with interest ~~thereon~~ from May 29th 1885 till paid & Costs Clk 2.68 Co Clerk - 25.

Amt of Judgt.	162.19
Interest to June 29th 1886.	10.54
Costs Clerk.	2.68
" Clerk County Court	25
	$175.66

Received of James W Orr Admr of A R Surgener deceased one hundred and seventy five dollars and sixty six cents, amt in full of the above execution. This execution is paid in full because it was in the Sheriffs hands and levied before Surgeners death This 29th day of June 1886.

Richmond Duncan & Orr.
Attys -

Received of James W Orr Admr of A.R. Surgener decd Twelve & 68/100 dollars my commission in 1st & 2nd Execution in favor of John Snodgrass vs A.R. Surgener. In 1st which is included in the above receipt of Richmond Duncan & Orr $8.29
In 2nd Ex. not included above. 4.39
$12.68

S A Ewing. D.S. for R D Heavey S.F.C.

John H Snodgrass

Lo Recpt $175.66

James W Orr Admr.

Add. $ 175.66
4.39
$ 180.05

(1)

Received

I as administrator of the estate of A. R. Surgener deceased have settled, through M. D. Richmond who was acting for M. C. Parsons, the amount of an execution in favor of A. L. Pridemore Comr. vs said Surgener & Thos S Ely security, which amounted to January 25" 1886. $273.54

This Execution issued & was levied on said Surgener's property in his lifetime and was a prior lien on his property. See Fi Fa. Book page 211.

James W Orr. Admr.

A. L. Pridemore

vs } Execution
} voucher $273.54

A. R. Surgeon

(2)

Received of James W Orr Admr of the estate of A. R. Surgener deceased Sixteen dollars the balance of the principal + interest of an execution in my hands in favor of James J Muncy Guardian &c against said A. R. Surgener deed and which was placed in my hands during the lifetime of said Surgener. also $31.36 mys fees in fi fa

Nov 3rd 1886.

S H Ewing D S
for R. D. Flannery, S. L. C.

S. H. Ewing D. S.

To } Recpt for $16 00

James W Orr Admr
of A. R. Surgeon.

Guardian	$16.00
Sheriff.	31.36
Hyatt C.	6.14
Gilson	.50
	$54.00

(3)

Rec'd of Jas. W. Orr Admr of A. R. Surgeon dec'd, $6.14 my fee in fi fa of J. J. Murray Guar vs A. R. Surgeon Aug. 1 - 1886.

J. H. Hyatt C C

Rec'd my fee of 50c in this cause Aug. 1 - 1886

S. R. Gilson clk

Aug the 18 1885

This Receipt is to show that Mr Byneyton has paid me the amount of 500 lbs of flour for Mr A R Sergeant which I agreed take on Mr Byneyton By order of A R Sergeant

Witness Mrs Stark David D Hall

Receipt

Mr Bimentor Sir
Let Mr Eckelly and
hundred ft of Flaues

A R Burgess

AR Sargent
Co. [illegible]

A. R. Surgener. dec'd.

1885. To Daniel Byington Dr.

July To the following sums paid by verbal order of said Surgener, and for which I was to have credit on my rents for mill.

July	" amt paid Linton Stewart.	$4.00
Aug 18"	" " " Daniel D Hall	15.00
"	" " " A. R. Stickley (written order)	3.00
"	" feeding 11 hogs two weeks, corn + bran, @ $3.00.	6.00
"	" " Same two weeks out of Surgener's feed	2.00
		$30.00

Virginia, Lee county, to wit.

This day Daniel Byington personally appeared before me and made oath that the above account of $30.00 in his favor against the estate of A. R. Surgener dec'd. is just and unpaid, and the items ~~was~~ paid by him + hogs fed for said Surgener under contract with said Surgener and for which he was to have credit on his rent for said Surgener's mill. Also personally appeared Linton Stewart and made oath that he knows the fact that Mr Byington was directed by Mr Surgener to pay the above items and feed his hogs, and did feed said hogs as charged and was to have credit therefor out of the rent for the mill. Given under my this 27th day of January 1886.

J. S. Hyatt Clerk

Received of James W Orr Admr of A. R. Surgener decd. Thirty dollars the amount of the within account, by him giving me Credit for same on rent for mill. Jany 27/86.

Daniel B. Bynyton

Daniel B Byington
vs } Acct $56.02
A. R. Surgener decd

(4)

1885 James W. Orr Admr of A. R. Surgener Decd.

	To the clerk of Lee County Court	Dr
Sept 22	Entering order appointing your bond oath &	1.00
	Tax on bond	3.50
1886 Apl 6.	For Dock Judgt vs W. P. Miller	.25
	" Ent atty acct A. J. McLowry .10 Spa 20	.30
June	Spa 20. filing acct vs same 15	.35
" 19	Filing Sale bill No 1. 20. Recording 60	.80
	" " " No 2 20 " 25	.45
		$6.65
	" " Recording affs to Bill	.50
		$7.15

J. R. Gibson Clk

J. W. Orr Admr

6. 6 5

(5)

Mr. Abraham R. Surgener District No. 1

1884. To M. B. WYGAL, Treasurer of Lee County, Dr.

10 TRACTS.		State Tax, 30 cents on the $100.		County Levy, 25 cents on the $100.		State School Tax, 10 cents on the $100.		County School Tax, 10cts. on the $100.		District School Tax, 10cts. on the $100.		Total Amount of Taxes.	
To 585 acres land value	2930	6	68	5	57	2	23	2	23	2	23	18	94
Property, income, etc.	1065	3	20	2	66							5	86
Capitation Tax,		1	00		50							1	50
State School Tax,						1	06					1	06
County School Tax,								1	06			1	06
District School Tax,										1	06	1	06
Total,		10	88	8	73	3	29	3	29	3	29	29	48
												1	47
												$28	01

RECEIVED PAYMENT. M. B. Wygal, COUNTY TREASURER.

Cr by Cash $12.00

Co order on
Surgeon Balgarlio - 5.60
Co Dr James W Crawford 13.35
Nov 24/85 - $30.95

6

Mr. Cathasine Adkelse heirs

District No. .....

1885 To M B. WYGAL, Treasurer of Lee County, Dr.

			State Tax. 30 c's. on the $100		County Levy, 25 cts. on the $100.		State School Tax, 10 cts. on the $100.		County School Tax, 10cts. on the $100.		Dis't. School Tax, 10cts. on the $100.		Total Au't. of Taxes.	
..... 1 ..... TRACTS.														
To - 40 - acres land value	100			30		30		10		10		10		90
Property, income, etc. . . .														
Capitation Tax, ...														
State School Tax, ...														
County School Tax, ...														
District School Tax, ...														
Total, ...														90 5 95

RECEIVED PAYMENT. G. W. Garrett TREASURER

Received of James W Orr Admr of A R Sergeant's Est 95 cts the amount of the within Lax this July 20th 1886

G W Garrett D. S

No Notice to Tax Payer

Mr. Abraham R. Surgener District No. 1

1885. 34 To M. B. WYGAL, Treasurer of Lee County, Dr.

		State Tax, 30 cts. on the $100	County Levy, 25 cts. on the $100.	State School Tax, 10 cts. on the $100.	County School Tax, 10cts. on the $100.	Dis't. School Tax, 10cts. on the $100.	Total Am't. of Taxes.
13 TRACTS.							
To 11 91 acres land value	4191 50	12 57	12 57	4 19	4 19	4 19	37 71
Property, income, etc. . . .	1245 00	3 74	3 74				7 48
Capitation Tax, ...		1 00	50				1 50
State School Tax, ...				1 24			1 24
County School Tax, ...					1 24		1 24
District School Tax, ...						1 24	1 24
Total, ...							50 41
							2 52
							52 93

RECEIVED PAYMENT

G. W. Garrett, D.

$52 92/100

Received of James. W. Orr Admr of A. R. Sergeant (Est) Fifty Two Dollars & Ninety Two cents being the amount of the Taxes against said Est for the year 1888 this June 22nd 1886

G. W. Garrett D. S

Mr. Abraham R Sergeant District No. 2

1885. To M. B. WYGAL, Treasurer of Lee County, Dr.

		State Tax, 30 cts. on the $100.	County Levy, ~~25~~ 30 cts. on the $100.	State School Tax, 10 cts. on the $100.	County School Tax, 10cts. on the $100.	Dis't. School Tax, 10cts. on the $100.	Total Amt. of Taxes.
1 TRACTS.							
To 5 acres land value	200	6 00	6 00	2 00	2 00	2 00	18 00
Property, income, etc. . . .							
Capitation Tax, ...							
State School Tax, ...							
County School Tax, ...							
District School Tax, ...							
Total, ...							18 00

RECEIVED PAYMENT. C C Blankenship Dep, COUNTY TREASURER

$ 18.90

A. R. Dungener's
est

Tax 1885. $18.90
.95
52.13
71.98

(7)

The Estate of A. R. Burgener Decd.

1886. To James W Orr. Dr.

To amt paid Wm P Weston for gathering corn	$15.00
" amt to be paid John McDaugh. - appraiser.	2.00
" " " " " A. Edmonson "	2.00
	$19.00

Jas N Ore Admr

vs } acct of 1902

A. R. Surgeners Exr

(8)

Received of James W Orr Admr. of the estate of A. R. Surgener deceased. Two dollars for my services as one of the appraisers of said estate.

Decr 4th 1885.

W. R. Latham

Wm Latham

To } Receipt $2.00

James W Orr Adm

(9)

Received of James W Orr Admr of the estate of A. R. Surgener decd. One dollar & fifty cents for hauling Saw Mill from Brawells Steam Mill up to C. Hense. & bringing belt from Daniel Balls Shop to same place.

Aug 7th 1886.

Silas his mark X Garrett

Test

C. A. Russell.

Silas Garrett
Lo Receipt $1.50
Jas W Orr Admr.

(10)

Sale Bills Nos 1 & 2
and vouchers from
1 to 10 inclusive

Twelve Months after date we, or either of us, promise to pay to ALPHA PARROTT, Administratrix with the Will annexed of the Estate of D. C. Parrott, deceased, Twenty Dollars & Twenty two cts 100 Dollars, for value received, and we each hereby waive the benefit of our Homestead Exemption as to this debt.

A R Surgens [SEAL.]

Witness our hands and seals this the 5 day of August 1884.

Wm Robertson [SEAL]

No 3

Alfred Parrott & Son

vs } Note

A. R. Surgener.

Oct 1st 1886. $21.61

Int to May 1st 1888. 1.92

$23.53

affidavit given

1888 May 1st	To this sum ant debits brought forward			$2174	54
	By " " " Credits "	$180	25		
14	" " " paid J. A. G. Dyatt fees as Surgeon	61	24		
15	" " " " J. R. Gibson " " "	11	28		
16	" " " " A. Edmonson appr &c	3	00		
17	" " " " C. C. Bell for enjoing sale	1	00		
18	" " " " Eli Davis Coun &c	5	00		
19	" " " " Bal, Const &c on Starnes Judgt	10	22		
20	" " " " Bal on Lockhart Judgt	24	74		
21	" " " paid & to be paid Thos. S. Ely Admr.				
	D. S. Dickenson decd, Bal in full of Money him Judgt	409	23		
22	By " " paid J. A. G. Dyatt Coun. &c	30	00		
23	" " " to be paid for future settlement	8	00		
	By this sum in Admrs hands	$1430	60	$2174	54

To this sum Bal, in Admrs hands to be paid pro rata on common claims $1430 60

James W. Orr
Admr. A.R. Burgemier
Statement of his acct

(O. 2)

James W. Orr Adm'r. of the Estate of A. R. Surgenner dec'd.

1887	To the Creditors of said Surgenner				Dr.
Octo 1st	To this sum in Adm'r's hands Octo. 1st 1886			$1731.	30
	" " " Interest thereon to Octo. 1st 1887			103.	87
	" " " Total Estate October 1st 1888.			$1835.	17
	By 10% Com. on $103.87 Receipts	10.	38		
1	By this sum paid A. W. Suttle Com'r.	2.	00		
2	" " " " John McDowell Com & appr	4.	00		
3	" " " " P. Hagans Atty fee	25.	00		
4	" " " " Daniel Hall wit claim		25		
5	" " " " Taxes for year 1886	40.	68		
6	" " " " C. T. Duncan atts fee	50.	00		
7	" " " " Jos. E. Debusk acct.	5.	00		
8	" " " " W. P. Weston wit claim		66		
9	" " " " Jos. E. Debusk 2 wit "	1.	32		
10	" " " " Jas. B. Richmond Atty	120.	00		
11	" " " " J. A. G. Hyatt clerks fees	54.	29		
12	" " " " L. H. Oaks wit claim		66		
	By this sum unaccounted for	1520.	93	$1835.	17
1888					
May 1st	To this sum unaccounted for last year			$1520.	93
	" " Int. on $1427.06 Prin to May 1st 1888,			42	81
	" " Sum amt Inventory D. & Int " "			610.	80
	Total Estate May 1st 1888. . . .			$2174.	54
	By 10% Com. on $653.61. Receipts	$65.	36		
13	By this sum Cost disbursed &c	114.	87		
	Totals forwarded	$180.	23	$2174.	54

Vouchers from
1 to 13 -

	1.31.30
	314.44
	90.06
	1.47.41
	1.8.24
	1.7.4.1

List also Surgeons
Levels boundsmen &c
Lee Capt Je

1731.30

Received of James W Orr Admr. of the estate of A. R. Surgener decd. Two dollars for my services as commissioner in laying off and assigning to the widow of said decedent her dower in his real estate. This 17th day of May 1887.

Adam W. Suttle.

A. W. Beattie

Lot 3 Recpt $2.00

James W. Crosby

of A. R. Burgener.

(1)

Mr James W. Orr admr. of A.R.
Surgenor Dest. Sir please pay
Jonathan Smith Const. the sum
of Four dollars for my services as
appraisor of Property of said Surgenor
Two days and Two days in devideing
the lands of same this August 16th 1887
John McDowell

John McDowell
Order $4.00
To J. W. Ow. Admr.

Also A. Edmunson
is

(2)

Rec.d Feb 21st 1887 of Jos. M Orr adm. of the Estate of L.R. Surgeon dec.d the sum of Twenty five Dollars ($25) fee for my services in suit in U. S. Court at Abingdon by suit of _____ Hubble against the said administrator on a warranty of a "Jack" sold by the Intestate. The suit was to recover $1000.00

Patrick S Hogan
atty.

P. Hagan
Recpt
To 3 $25.00
Double case
J. W. McAdam

(3)

Received of James W. Orr Admr of the estate of A. R. Surgener decd. Twenty five cents for witness attendance before H. C. Joslyn in an arbitration vs Stokely Lanier & others. Sept 2nd 1886.

Witness
H. C. Joslyn

Daniel his X mark Hall

Daniel Hall.

Lot 3 Receipt 25 cts

Jas W Orr Admr.

4

Mr. Abraham Surgeners Estate District No. 13 000

1886. To M. B. WYGAL, Treasurer of Lee County, Dr.

10 TRACTS.		STATE TAX, cents on the $100		County Levy, 50 cents on the $100.		County School Tax 10 cents on $100.		District School Tax, cents on $100.		State School Tax, 10 cts on the $100.		TOTAL AMOUNT OF TAXES.	
To 756 acres land value	$2480	7	46	12	43	2	49	1	25	2	49	26	12
Property, income, etc.,													
Capitation Tax.													
County School Tax.													
District School Tax.													
State School Tax.													
Total												26	12
												1	30
												27	42

2 25
1 50

Received Payment in full, C. S. McKee D *Treasurer*

John M. McClure Cs
By cash $18.76

Recd of James W Orr Admr of A. R. Surgener decd. Twenty seven dollars & 42 cts the amount of the within Tax, Apr 19th 1887.

C. S. McClure D.S.

2	0
4	2
5	0
1	7
	8
	6
	9
	1
	2
	$

Mr. A. R. Surgeners, Estate District No. _____

1886. To M. B. WYGAL, Treasurer of Lee County, Dr.

3 TRACTS.		STATE TAX, cents on the $100.		County Levy, 50 cents on the $100.		County School Tax 10 cents on $100.		District School Tax, cents on $100.		State School Tax, 10 cts on the $100.		TOTAL AMOUNT OF TAXES.	
To 235 acres land value	$1905	3	61	6	02	1	20		60	1	20	12	63
Property, income, etc.,													
Capitation Tax.													
County School Tax.													
District School Tax,													
State School Tax,													
Total												12	62 63

Received Payment in full, C. S. McLean D. T. 13.26 *Treasurer*

Recd. of James W Orr Admr of A. R. Gangener decd
Thirteen dollars & 26 cts the within tax.
Apr 19th 1887.

C. S. McLain D.T.

(51)

James McCar Admr of A R Surgener dec'd
1887. To C. T. Duncan Atty Dr
To fee for defending before commissioner
and in the Circuit Court of Lee County
Virginia the claim asserted by S H Levisay
assignee of A J Roller. vs said Admr. and
also defending in the Circuit Court of
Scott County on a petition for a
rehearing that was involved in this claim
over $1600. $50.00

C. T. Duncan
Atty

Fee $50.00

(6)

Received of James W Orr Admr. of the Estate of A. R. Surgener decd. Five dollars for making rails & repairing fense around some of the said Surgener land cultivated by me in Corn for year 1886. Sept 21st 1886.

Joseph his X mark Delinsk.

Teste
Wm A. Smith

Jos E Delmsh

Z3 Recpt $5-00

Jas W Orr. Admr.

(7)

Amt. to be paid W. P. Weston on
writ Ticket in McCurry vs Orr Admr
A. R. Surgener -

.66c

8

Virginia:

Lee County Court. June *Term, 1886.*

ORDERD, That J. W. Ow Admr. of A. R. Surgener pay unto Jos. De Busk $ .66 for One days attendance as a witness for him on behalf of A. J. McCurry traveling Two miles over ten in coming and the same in returning.

TESTE:

John R. Gibson, Clerk.

Virginia:

Lee County Court. May Term, 1886.

ORDERD, That Jas. W. Orr Admr of A. R. Surgener pay unto Jos. DeBusk $ 66 for One days attendance as a witness for Sum vs. A. J. McCurry traveling Two miles over ten in coming and the same in returning.

TESTE: John R. Gibson, Clerk.

~~(10)~~

(9)

James W Orr Admr. of A. R. Surgener decd

1887. To James B Richmond, attorney. Dr.

To fee ads Joseph Willis - Chy. Injunction.	$	15.00
" " ads S. S. Surgener - Chy. Injunction.		35.00
" " vs Same - Scire Facias.		5.00
" " ads S. H. Lenacy assignee &c on Petition		40.00
" " ads Josephine Surgener Admx &c - Chy.		15.00
" " ads A. J. McCurry, warrant moved to Co. Ct.		5.00
" " vs A. Edmonson & als - Delit.		5.00
	$	120.00

Jas. B. Richmond
- atty
Acct. fees
$125.00

Surgener Estate.

(10)

List of fee bills lifted by James W Orr Admr of A. R. Surgener Dec'd from J. A. G. Hyatt Clerk, in settlement of decree in favor of said Admr vs Wm P Miller.

1888.		
Mar 15th.	Fee Scire Facias vs Wm P Miller	$ 5.77
	" Chy suit vs Same	8.79
	" Chy suit vs Dickinson Gobble	11.35
	" " " ads Josephine Surgener Admr	1.68
	" " " " S. S. Surgener	2.34
	" " " " S. H. Lenasy assignee &c, Petition	11.20
	" Scire Facias vs S. S. Surgener	3.08
P.D.	" Chy suit ads Jas Willis & his fee also	10.08
		$ 54.29

Recieved of James W. Orr Administrator of A. R. Surgener Fifty four Dollars & Twenty Nine cents in full of the above list of fee bills, ~~as of~~ October 1st 1887.

J. A. G. Hyatt Clerk & Comr.

J. A. Cy. Hyatt Clk
& Comr.

Fees Recpt. $5-4.27
Jas W Orr Admr

(11)

Virginia:

Lee County Court. June Term, 1886.

ORDERD, That James W. Orr Admr of A. R. Surgener pay unto L. H. Oakes $ .66 for one days attendance as a witness for him ads A. J. McCurry traveling two miles over ten in coming and the same in returning.

TESTE:

John R. Gibson, Clerk.

(12)

L. H. Carter

James W Orr Admr of the Estate of A. R Surgener dec'd is entitled to, & has credit for, the following costs with which he is charged in his settlement, he having paid out some & is entitled to retain part of the same as atty & Comr, to wit.

Bal of costs vs Wm D Miller after Hyatt's fees.		$23.96
" " " vs Dickinson Gobble " " "		15.00
Costs recovered by S. D. Surgener, on Scire Facias " " "		2.75
" " " Same Chy suit including Hyatt's "		37.99
" " " Jas Willis " " after Hyatt's fee.		16.25
" " vs S. H. Lenasy " Petition " " "		18.92
		$114.87

Jas W Orr. Admr
vc

Voucher $114.87

(13)

1883	A. R. Surgenner	Dr	
	To J. A. & Hyatt C C		
Aug	Lunx vs Wm Hsoss 20 copies 20		40
	Recpt 18, filing Decl 15, Doct 18		51
	Rules 50 Tax 2.00 Atty 10	2.	60
	Order dismissing 36 Tax Costs to 40		76
		$4	27

(12)

1882	A. R. Surgeimer To Clerk circt Court	Dr
Aug	Copies of Rules vs H. S. Preston et al 60 Recpt 18	.78
	Filing ans. 15 Report 15 Decree 36 . . .	66
Novr	Decree 36 filing Receivers report 15 . . .	.51
1883	Mr. & Aug Cond 72 Novr filing reports 30	1.02
	Entering 2 Decrees 72 Taxing costs 40	1.12
	J. H. L. Hyatt C.C.	$4.09

A. R. Surgener
Fee Bill
$4.09

(11)

1883 A. R. Surgeonner To Clk Circuit Court Dr

July Spa in Chcy vs J. H. Snodgrass 20 Copy 10. Rept 18 .48

Filing bill 15 Cost 18, Atty 10 Tax 1.50 Two Rules 1.50 $2.93

Copying Judgt 20, Bond 50 filing 15 Decree 36 - 1.21

Aug. Rule 36 Copies 50 Rept 18. Nov Decree 36 - - - 1.40

1884 Mr. Decree 36, Aug order Contd 36 filing Depo 15 - - - 87

Nov Contd 36 filing Depo 15 Taking Depo $2.50 3.01

1883 Decree funds 36 Taxing Costs 40 .76

J. A. L. Wyatt C.C. $10.66

A. R. Surgeon
Free Bill
$10.66

(9)

1881	A. R. Surgenner Dr to J. A. Hyatt C.C.		Dr
Aug	Ent Decree in Chy cause vs C. L. Hamblen Admrs		36
	Bond of Receiver Dmnd 50 filing 2 Reports 30		.80
1882 Mr.	Copying Exhibits & Decree 2.16 Ent Decree 36		2.52
Aug	filing 3 reports 45, Petition 15 Decree 36		.96
	filing Exceptions 15 4 Copies of Rule 1.00 Recpt 18		1.33
	3 Copies of Rule 75 Recpt 18 Copy Decree 36		1.29
Novr	order Contd 36. 1883 3 orders Contd this year 108		1.44
1884	Contd 1.08 filing reports 30. 1885 Contd 1.08 2 Cts 40		2.86
			$11.56

A. R. Surgeon
Fee Bill
$11.50
C. T. D. Receiver
(10)

1881	A. W. Surgeumer	To clk circuit court		Dr
Aug	order Contd Chry Cause vs	A. M Ely Admrx		36
1882	3 order Contd for year 1882	$1.08	Do for year 1883	$1.08 2.16
1884	Do Do "	" 1884 1.08	" " 1885	1.08 2.16
	Saving Costs Do	40		40
				$5.08

A. R. Surgener
Free Bill
$5.08

8

1883	A. R. Surgener	To Lee Circuit Court clk	Dr
Aug	filing Petition in Chy Cause vs Sarah Burt		15
	Atty 50 affi 25. Decree $3.00	Taxing Costs 70 + 40	1.11
		J. A. G. Hyatt C C	$1.26

A. R. Surgeon
Fee Bill
1.26

7

1881	A. R. Surgenner	Dr.	Cir. Circuit Court	Dr.
Aug	Order contd. chy cause vs S. J. Duff			$36
1882	filing report 15 Decree 36. Aug Decree 36			87
Nov	Decree final 36, Taxing costs 40			76
			J. C. Hyatt C.C.	$1.99

A. R. Sergeant
Free Bill
fl. 99

6

1881	A. R. Surgenner To clk circuit Court		Dr
Aug.	order cont'd chcy, cause vs Wm. H. Sage et al		36
	Copying Exhibits $2.40 filing Comm. Report 15		2.55
1882	Spa 20 taking Depo $3.15 order 36, Five Decrees 72		4.43
Mbr.	order 36 Aug. Spa 20, taking Depo 1.50		2.06
Novr.	filing report, 15, Decree 36 Do 36		.87
1883	Mr. order cont'd 36 Aug report 15 Decree 36		.87
Novr.	order cont'd, 36 1884 Mr. filing report 15		.51
	Decree final 36 taxing costs 40		.76
	J. A. L. Hyatt C. C.		$12.41

A. R. Surgeon
Free Kill
12.41

(5)

A. R. Surgener.

1881	To the Lee County Circuit Court Clerk Dr.	
July	Filing Decl vs O. F. Burk Admr. & c 15.	.15
	Doct 18, Ent atty 10 Two Rules 50 Tax 1.00	1.78
Aug	Ord. Cont'd 36, Mr. 1882, Judgt 36	.72
1882	Taxing Costs & c 40 abst 20	.60
Apr.	Fi Fa 40 Receipt 18	.58
		$3.83

J. Als Hyatt Clerk

A R Surgeon

Fee Bill

$3,85

4

1881. } A.R. Surgener to J. A. S. Hyatt Clerk Cr
July } To Spa ads Wm W. Hambleton 20 Subpoenaing wit 20 - .40
Aug. 8. Judgt .36 Taxing costs .40, Fi Fa & cs 8, 2 writ claims 60 1.94
abstract 20. .20
$2.54

1881. Wm W. Hambleton to same Cr.
Aug 8. Subpoenaing wit & Jury in case above - .70
P. Hagan to pay $3.24

A.R. Surgener
& W.W. Hamblet,
Fee Bill
$3,24

Hagan to pay.

3

1882	A. R. Surgenner To J. A. Hyatt Clerk Dr:		
Jany	Copying in Chy cause vs Sages Suntis		.30
1883 Sept	Copying Judgto in said cause 4 @ 20 ---		.80
			$1.10

A. R. Lingner
Fee Bill
$1.10

2

Sarah J. Duff for &c

1882 To the Clerk of the Circuit Court Dr.

Jany	Fi Fa, (Chay) vs A.R. Surgener. 50 Recpt 18	.68
19th	Filing notice 15 Docket 18 atty 10	.43
	Judgt 36, Taxing Costs &c 40, Fi Fa 68, abst 20	1.64
	J A S Hyatt Clerk	$2.75

A. R. Surgener
Lofray

S. J. Duffford
Fee Bill
$2.75

1

File Bills

A. R. Surgener

To J. A. G. Hyatt C.C. Dr

1	Fee Bill	Sarah J. Duff case	2.75
2	" "	Sage "	1.10
3	" "	Hamilton "	3.24
4	" "	D. F. Burk "	3.83
5	" "	Wm Sages Sccunties	12.41
6	" "	Duff case (self)	1.99
7	" "	Isaiah Burk case	1.26
8	" "	A. M. Ely Cause	5.08
9	" "	J. H. Snodgrass "	10.66
10	" "	Dickenson "	11.56
11	" "	H. S. Preston "	4.09
12	" "	Lose - - - "	$56.97
			4.27
			$61.24

I J. "A. S." Hyatt do hereby certify that the foregoing list of fee Bill are just and true, and that the same remains due to me amounting to the sum of $56.97 so help me God

J. A. S. Hyatt C.C.

Virginia

Lee County to wit, J. A. S. Hyatt personally appears before me and made oath in due form to the above list of fees and affidavit. Given under my hand this 4 Aug 2nd 1886. J. R. [illegible] Clk

J. A. G. Hyatt
} Evidence
vs } of Debt
A. R. Surgeuer

$56.97
Adv 4.27
$61.24

(14)

1884 A. R. Surgener.

To the clerk of Lee Co. Court Dr.

May	24	Docket. Judgt in favor E. S. Bishop vs W. Andre on J. P. & L. Dockets at your instance	55
Jany	20	By cash of R. D. Flanary 35	
1885 Feb	17	Docket on J. P. & L. Dockets 2 Judgs to vs A. R. Fletcher	1.10
Mch	27	Recording deed from Wm Pennington & wife 1.25 T. 10c	2.25
Apl	1	" " " J. W. Ow 1.25 T. 50	1.75
Aug.	27	Copy of Judgt vs D. Gobble	20
			$5.85

J. R. Gibson clerk.

H. Q. Gungewer

5,95

1881		A. R. Surgener	
		To the Clerk of Lee County court	Dr
July	13	For copy Fi Fa J. R. Noell vs W. W. Sage et als	.20
		" " " " C. M. Whitehead for &c vs J. J. Surgener et als	.20
		" " " " Mrs L. Ward for &c vs W. Sage et al	.20
		" " " " A. J. Wilson vs " " "	.20
		" Dacheling judgt vs W. W. Hamelton	.25
Sept	19	" copying 2 Judgt Commlth vs W. W. Sage & securities	.40
1882 Mch	9	" 3 Fi Fa for exhibits 305	.60
"	14	" copy motion vs W. W. Sage et als	.40
			$3.45

John R. Gibson Clerk

A. R. Sungenet

2,45

1882	A. R. Surgener.	
1	To the clerk of Lee County court Dr	
Apl 15	Docket Judgt vs D. Burk.	25
Nov 25	copy of Judgt. for exhibit	.20
"	Filing attachmt vs A.J. Chandler	.15
June 19 1883	Recording deed from H. L. Harold & wife 1.25 & 1.00	2.25
Oct.	Copy J. L. Prices bond 20¢ & copy of order. 20¢	40
		$3.25

John R. Gibson clerk.

A. R. Sergeant

$3.25

Virginia Lee County to wit:-

This day John R. Gibson Clerk Lee County Court personally appeared before me that the Fee Bill hereto attached amounting to $11.28, remains unpaid to him. Given under my hand this 5th day June 1886.

J. A. C. Hyatt Com'r

Affidavit.

1885 1	By amt paid on protested Check	50.	00		
2	" " " N. C. Jaslyn Edmunds note	30.	00		
3	" " " Taxes on Devault land 1883	17	88	$97	88
	This sum is at Int from Mr. 1st, 1885			$985	45

J. R. Gibson's
Fee Bills
$11.28
~~7~~ 15

To fee paid A. Edmonson appr. & crying sale	$3.	00

16

To be paid W. W. Bell for crying sale	1.00

(17)

Received of James W Orr Admr of the Estate of A. R. Surgener decd. Five dollars, my fee as Comr for laying of dower to Nancy Surgener, widow of said decedent by order of Lee County Court. This Nov 16th 1886.

Eli Davis

Per A. P. Witt

Eli Davis
Lo Z Receipt $5.00
James W Orr Adm

(18)

(196) John E Starnes

1880.	To the Clerk of Lee circuit court	Dr.
Aug	Filing Notice on Forthcoming bond vs A. R. Surgener	$ .15
"	Docket .15, atto. .10, Judgt. .36, Laying costs &c. .40,	1.04
"	Fi Fa .40, recpt .18,	.58
		$ 1.77

James W Orr. Clerk.

S

J. E. Stanes

$1.77

John E. Staples

		Dr.	
1878.	To the clerk of Lee circuit Court		
Jany	Sfa in Chy, with Injunction vs Wm H. Gentry et als		50
"	four copies 1.00, recpt 18,	1	18
Feby	Filing Bill 15, clerk 18, atty 10, Sfa 1.50,	1	93
Mar.	Two Rules 1.00 Sfa, Sfa on amended Bill 20,	1	20
Apl	3 copies 30, recpt 18, Bond 50,		98
July	Two Rules 1.00, Exhibit 90,	1	90
Aug.	Decree Final 36, Taxing Costs &c 40,		76
		$8	45

James W. Orr clerk

John E. Ferris

(19)

$8.45
1.77
$10.22

A. L. P.

Eily

See A. R. S. 4 sec
forthcoming bond

Fi Fa not rec'd.

(240) Andrew Lockhart.

1878.	To the Clerk of Lee circuit Court	Dr
Aug	Ord cont vs A. R. Surgener et al, 36, Nov - ord cont. 36,	$ .72
1879.		
Mr.	ord Cont. 36, Aug ord Cont 36, Nov, ord Cont. 36,	1.08
1880.		
Mr.	Judgt. 36, Laying costs &c. 40, Fi Fa &c. 58,	1.34
		$ 3.14

James W Orr. Clerk.

8

A. Lockhart

$3.14

Andrew Lockhart

1874	To the Clerk of the Circuit Court	Dr.
Decr, 2"	Summons A. R. Surgener 20, Copy 10, recd 18,	.48
"	Filing Decl. 15, Docket, 18. alto. 10,	43
1875, Jany,	Two Rules 50, Mer. Spa 20, ord. Cont. 36, Four wit	1.06
Aug.	wit. Claims 1.20, 3 Spas, 60, ord Cont, 36,	2.16
"	Five wit. Claims 150, Nov, ord, Cont. 36,	1.86
1876, Mar,	three Spas 60, ord Cont, 36 Four wit. Claims 1.20,	2.16
Aug	Two Spas, 40, ord Cont 36, Five wit, Claims 150	2.26
Nov,	Two Spas 40, ord Cont 36, Seven wit, Claims 2.10	2.86
1877. Mar.	Two Spas 40, ord Cont, 36, Five wit. Claims 150	2.26
Aug	Three Spas, 60, Swearing witnesses & Jury 70,	1.30
"	Three Orders 1.08, Judgt, 36, Taxing Costs 02 40,	1.84
"	Seven wit, Claims 2.10 Fi Fa 1.08, Docket 25,	2.93
		$21.60

James H. Orr Clerk

Cely 8 1886

Andrew Lockhart

$21.60
3.14
$24.74

Presented to Comm
as bal on Judgt
June 1886.
Orr.